



770 211

W I L D E R N E S S A R E A

MONOMOY ISLAND
MONOMOY NATIONAL WILDLIFE REFUGE
MASSACHUSETTS

PROPOSAL

PREFACE

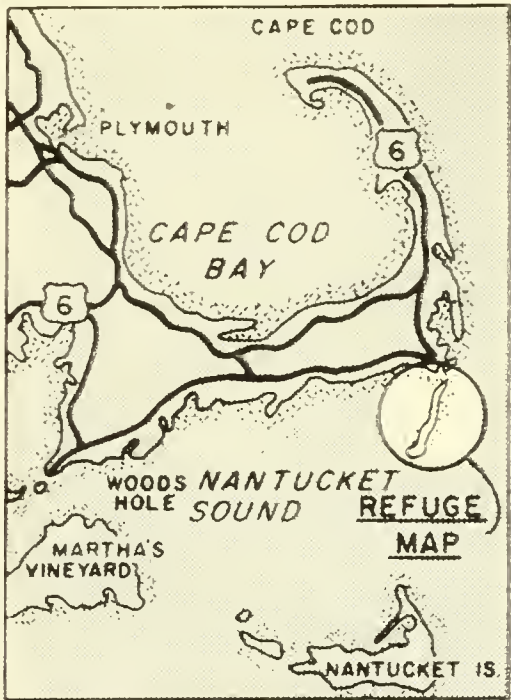
The Wilderness Act of September 3, 1964 (Public Law 88-577) requires that every roadless area of 5,000 acres or more and every roadless island within the National Wildlife Refuge System be designated a wilderness study area. Each of these areas will be studied to determine its suitability as a wilderness.

Monomoy Island qualifies as a wilderness study area. It is a 2,600-acre roadless island separated from the mainland by a mile of open water at high tide, one-eighth mile at low tide. Pounded by the Atlantic, scoured by tidal currents, and lashed by the wind, this ever-changing finger of sand shows little of man's use during the past 200 years. Today it is a wild area of barren or sparsely vegetated dunes and sand flats, numerous fresh water ponds, marshes and meadows, brushy hollows, and extensive salt marshes.

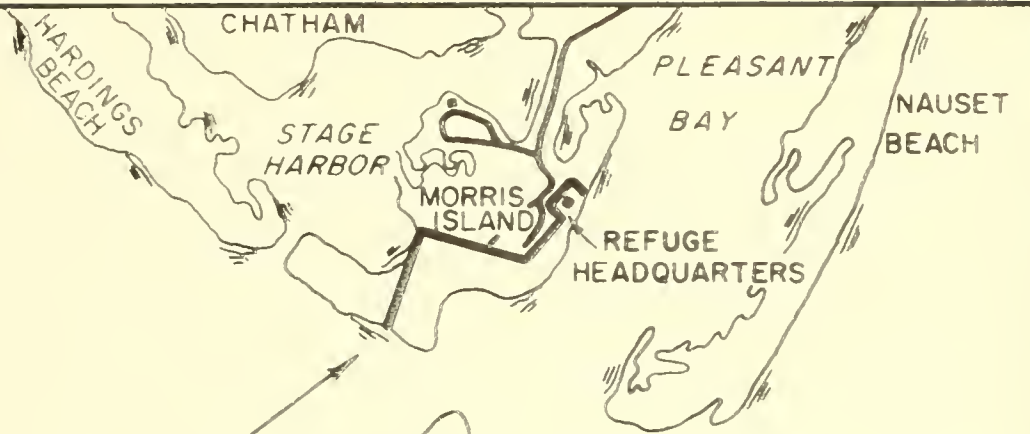
Three buildings and an abandoned lighthouse stand on a four-acre, privately-owned tract near the south end of the Island. The balance of Monomoy Island is Federally owned. Twelve prior property owners maintain and are permitted access to vacation camps under court-granted life estate privileges. These few buildings and rutted wheel tracks in the sand are the only obvious marks of civilization on the Island.

The provisions of Sections 4(a) and 4(b) of the Wilderness Act declare that: (1) the Act is to be within and supplemental to the purposes for which National Wildlife Refuges are established; (2) wilderness areas shall be administered so as to meet purposes of wildlife protection in such a manner as to preserve and protect wildlife communities; (3) such areas shall also be managed within the wilderness area concept to provide public recreational, scenic, scientific, educational, conservation, and historical enjoyment insofar as wildlife management objectives permit.

Cover photograph by Richard G. Kelsey, Chatham, Massachusetts; other photographs courtesy of Mr. Wallace Bailey, Massachusetts Audubon Society.



Monomoy Refuge



NANTUCKET
SOUND

MONOMOY ISLAND PROPOSED WILDERNESS AREA MONOMOY NATIONAL WILDLIFE REFUGE MASSACHUSETTS

POWDER HOLE
STORAGE BLDG

Inward
Point

HOSPITAL
POND

WRECKED
PENDLETON

MONOMOY

OLD MONOMOY
LIGHT TOWER

U.S.G.S. STONE HORSE
LIGHT SHIP

BIG STATION POND

OCEAN

ATLANTIC

SCALE IN MILES



LOCATION

Monomoy Island is an unstable coastal barrier beach extending about nine miles south from the "elbow" of Cape Cod, in the Town of Chatham, Barnstable County, Massachusetts. Bounded on the west by Nantucket Sound and on the east by the Atlantic Ocean, the Island varies from 1/4-mile to 1-1/2 miles wide and is separated from the mainland by a shallow waterway about 1/2-mile wide. The metropolitan centers of Boston, Massachusetts, and Providence, Rhode Island are approximately 100 miles away.

HISTORY

Monomoy and its surrounding waters have an interesting history in which man's struggle against the angry ocean furnishes the central theme. The list of ships wrecked on the treacherous shoals off Monomoy is formidable.

Since 1872, when the U. S. Life Saving Service, the forerunner of the Coast Guard, was established, there have been as many as four manned life-saving stations at one time between the Chatham lights and the southern tip of Monomoy. In the past as many as four lightships warned seafarers of shoals near Monomoy.

The Monomoy lighthouse, situated at the south end of the Island, guided mariners from 1824 to 1923 when it was abandoned because of the power and range of the modern Chatham Light.

Better ships and modern navigation techniques gradually made lifeboat stations unnecessary, and the once colorful launching of a surfboat into angry winter seas no longer occurs on Monomoy beach.

Through the years, commercial and sport fishing, shellfishing (including oystering a century ago), market and sport hunting have been significant factors in the economy and life of the local people. In the late 1800's a small fishing village existed on Monomoy Island at the so-called Powder Hole, complete with a store and church.

However, over the years Monomoy was abandoned by year-round residents. By 1944, when the Federal Government acquired the Island as a National Wildlife Refuge, there were 22 summer camps. Today only 12 camps remain, and tenure is limited by court decree. Fishing, clamming, and scalloping continue to provide a livelihood for mainland residents. Fish taken in season include striped bass, bluefish, bonita, mackerel, haddock, flounder, and cod.



DESCRIPTION

Monomoy Island is a spit of sand formed and constantly changed by tides, currents, and wind. It is approximately 3,000 acres in extent depending on tidal stage. Its highest point is only 30 feet above sea level. During major storms the forces of nature have caused drastic changes in its size and shape, particularly at the north end where alternately in the past the Island has been connected with Morris Island or Nauset Beach.

Although used extensively and at times intensively for 200 years, the Island today shows little of man's influence except for the remaining buildings. No physical development has been carried on in recent years. Very little that was done modified the environment permanently. Plantings of native vegetation in the past to control erosion and provide food for wildlife have merged into the local floristic pattern. The potholes and low dikes constructed appear quite natural today.

The foredunes are mostly devoid of vegetation. Many interior dunes are covered with stabilizing American beachgrass and false heather. In the hollows and depressions are bayberry, beach plum, poison ivy, and patches of pitch pine. All of these natural plant associations are characteristic of coastal dunes. On the Sound are low, sweeping cordgrass marshes blending into extensive salt marsh flats. There are numerous small potholes and natural fresh water ponds.



WILDLIFE

Monomoy Island in its natural state and setting is claimed by many prominent ornithologists to have no equal as a shorebird area. Shorebirds numbering in the thousands occur in season, including yellowlegs, black-bellied plover, sanderlings, and various small sandpipers. Rare species such as the Hudsonian godwit and golden plover are recorded occasionally.

It is justly famous also as a concentration point for many other species of birds. The varied natural habitat is used as nesting, resting, and feeding grounds by over 300 species of waterfowl, shorebirds, land and oceanic birds. Canada geese have reached peaks of 2,200 in recent years, black ducks 3,000, with lesser numbers of baldpate, green-winged teal, and other ducks. Extensive mussel beds off the ocean side of Monomoy have attracted up to one half million eiders and scoters during the fall and winter. Flights of warblers and other small songbirds sometimes fill the low thickets of the Island in a spectacular manner during migration. A large colony of terns, including common, roseate, and least, nest at points along the outer beach.

Few mammals inhabit the Island. A small herd of white-tailed deer ranges over the Island. Their number fluctuates, but up to 25-30 have been noted. There are a few red foxes. Muskrats inhabit the fresh water ponds and marshes. Occasionally, an otter or mink is seen. There is a variety of small mammals, such as mice, shrews, and moles.



Monomoy Island will continue to be managed as a wild area. Existing camps will be disposed of when tenancy agreements expire. A government storage building will be removed. No other government-owned physical features exist.

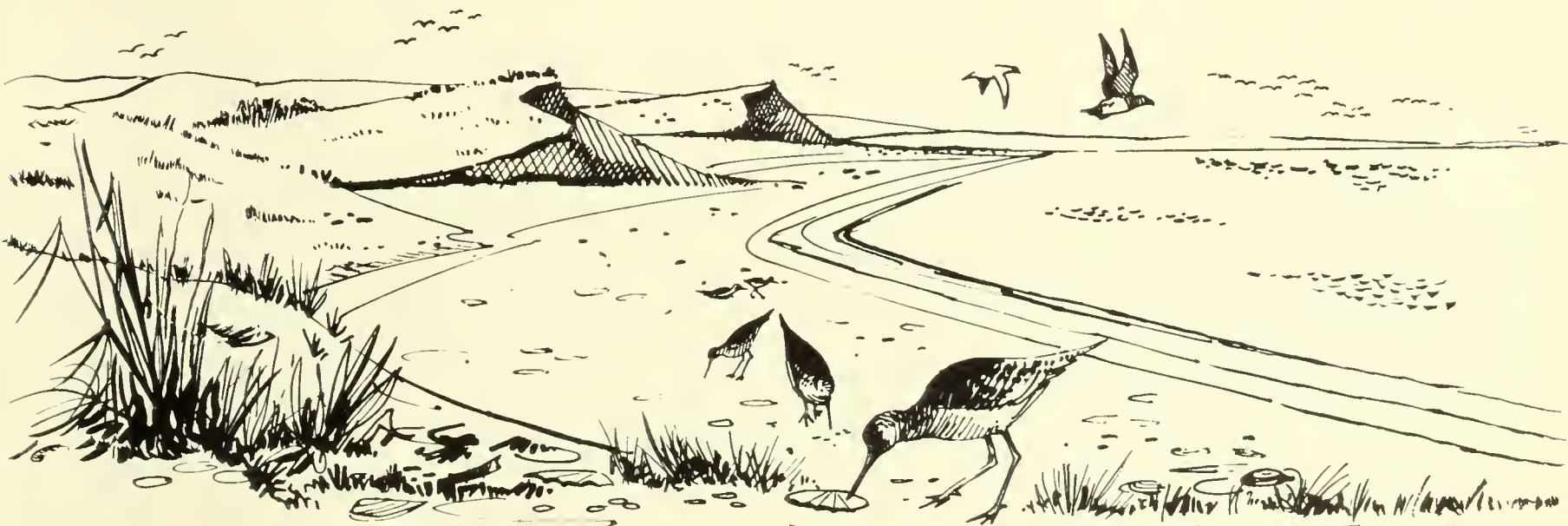
Recreational use of the Island will continue as in the past. Visitors may land their boats any place on the Island. Hiking, birdwatching, nature study, shell collecting, picnicking, and photography during daylight hours are permitted. Persons licensed by the Town of Chatham are permitted to shellfish. Hunting, camping, and fires are not permitted.

The Federal Government owns the Island to mean low tide, except for a four-acre interior tract. Two of these acres, including the old lighthouse, are owned by the Massachusetts Audubon Society. This historic cast-iron lighthouse is one of the oldest on the East Coast. The Audubon Society will be authorized to maintain the lighthouse as a base for their educational and research programs. The other two acres contain two privately-owned summer camps.

The 12 privately-owned summer camps on government land are maintained under special use permits in conformance with privileges granted by the court when the property was acquired. These camp owners have life tenure.

The Stage Harbor Freezer Company will continue to be issued an annual permit to maintain six range markers (30-foot vertical poles set at specific locations) on the Island, and to store for ten months of the year about 400 poles approximately 35 feet long on a lot about 150 feet by 450 feet.

There are no improved roads on the Island. As in the past, no unauthorized motor vehicles will be permitted. Restrictive permits will allow the use of over-the-sand vehicles for direct travel to private camps, and to the Stage Harbor Freezer Company. The Massachusetts Audubon Society's program aids people to enjoy the wilderness qualities of the land, and their conducted tours will be continued over designated trails.



SOCIO-ECONOMIC CONSIDERATIONS

Monomoy Island lies in the southeastern portion of one of the most popular vacation spots on the entire Northeastern seaboard. Salt water beaches are the primary attraction, enhanced by a combination of rolling sand dunes, brushy knolls, and extensive views of the coast and sea beyond. Wilderness Area status for Monomoy Island will aid in preserving forever by Act of Congress its relatively unspoiled character. Monomoy will continue to attract nature enthusiasts seeking a quality wilderness experience.

This type of use is nonconsumptive and will bring added popularity and revenue to the surrounding community. No commercially useful minerals are on the Island, which is composed primarily of medium to coarse beach sand. The position of the Island precludes any future anticipated need for highway or other development. The Massachusetts State Plan for Outdoor Recreation, still in preparation, contains no proposed development that would be affected by wilderness status for Monomoy Island.

INSPECTION

Anyone concerned about this proposal is urged to personally inspect the Monomoy Island portion of the Monomoy National Wildlife Refuge.

HEARING INFORMATION

A public hearing will be held at the time, date, and place indicated on the attached addendum. Any questions not answered by this leaflet should be directed to one of the following:

Regional Director
Bureau of Sport Fisheries and Wildlife
U. S. Post Office and Courthouse
Boston, Massachusetts 02109

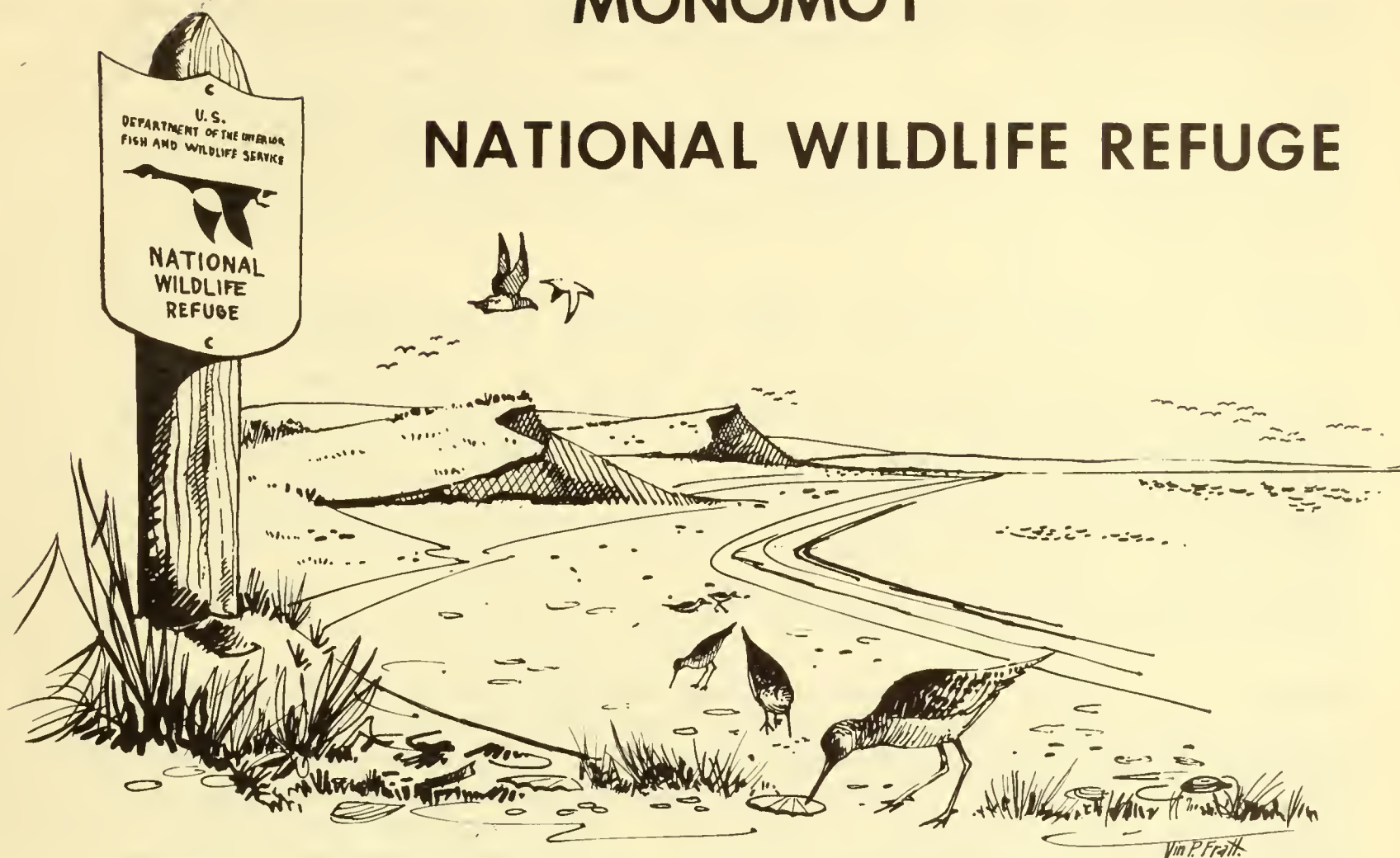
Refuge Manager
Great Meadows National Wildlife Refuge
110 Great Road
Bedford, Massachusetts 01730



ADDENDUM - HEARING INFORMATION - ADD
A public hearing will be held at 9 A.M.
January 11, 1967, at the Chatham,
Massachusetts Fire Station Hearing Room.

MONOMOY

NATIONAL WILDLIFE REFUGE

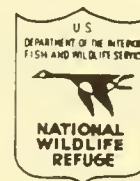


Monomoy National Wildlife Refuge is located on the "elbow" of Cape Cod, within the bounds of Chatham Township, Barnstable County, Massachusetts. Geographically, the refuge is approximately 100 miles southeast of Boston, 260 miles east of Albany, New York, and 285 miles northeast of New York City. Access to the major portion of the refuge is by water only, although a causeway permits the driving of vehicles to the Headquarters on Morris Island. Accommodations and boat liveries are available locally. The town of Chatham can be reached by highway, air, rail, and bus. Any communication should be addressed to the Refuge Manager, Monomoy National Wildlife Refuge, Chatham, Massachusetts. Telephone 945-0526.

Monomoy Island serves as a very important link in the chain of migratory waterfowl refuges along the Atlantic Flyway, which extends from Canada to Florida and the Gulf. The Island was formed by nature into a coastal barrier beach, ranging in width from one-quarter to one and one-half miles, and stretching approximately 10 miles south from the mainland



UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
BUREAU OF SPORT FISHERIES AND WILDLIFE



11106-2, 2

The refuge area is bounded on the west by Nantucket Sound and on the east by the Atlantic Ocean. The entire island, comprising nearly 3,500 acres, consists of sand dunes, salt and fresh marshes, fresh-water ponds, potholes and coastal thickets. The major portion of Monomoy Refuge is covered by sand dunes, low sweeping salt-marsh grass meadows and fresh-water marsh areas. At the head of the island is a section, known locally as Morris Island, which is densely wooded and thicketed by scrubby pines and underbrush.

Purpose. The refuge provides nesting, feeding, and resting grounds for waterfowl, shorebirds, land, and oceanic birds, comprising over 300 species as recorded by refuge and ornithological observers. Although the area is managed mainly for waterfowl, particularly the black duck and Canada goose, many other species utilize the refuge and adjacent waters throughout the year. Monomoy's waterfowl and other birds converge upon the island from points throughout northeastern North America, particularly from Canada. During the height of the fall migration and subsequent wintering season, approximately a million eiders and scoters may use waters and shoal areas surrounding Monomoy.

History. The island which became the Monomoy National Wildlife Refuge in 1944 is a coastal barrier beach, cut away from Cape Cod and extending south from it. The Cape itself is a moraine--a ridge of earth and stones collected by a glacier and deposited when warm winds and weather caused a sort of glacial "fallout." The icefields had lifted and literally transplanted large accumulations of earth and rock, scraped and dragged along by the enormous weight of the moving ice mass. The coastal barrier beaches were then formed by tides, currents, and winds acting upon the moraine and the waters around them. Recently, this barrier strip was subjected to severe storms and high tides resulting in the breaching of the island at several places.

Refuge Management. The management of this refuge is directed primarily toward the development, rehabilitation, and improvement of habitat for waterfowl. The location of Monomoy Refuge in the direct course of the Atlantic Flyway is of special importance. Rehabilitation of marsh areas, planting of wildlife food crops, development of nesting and resting areas, control of undesirable vegetation, development and maintenance of ponds and potholes, and protection during vulnerable periods have combined to result in increased usage of the refuge during annual migrations and concentrations.

Other protective management includes predator control and sand dune erosion control. Tide control gates have been installed to conserve precipitation and to control fresh water levels. The development of numerous potholes and small ponds has been accomplished, providing additional feeding and resting areas. Black ducks, blue-winged teal, green-winged teal and red-breasted mergansers breed here each year. Monomoy Refuge is the southernmost point in North America where nesting of the red-breasted merganser occurs.

Natural foods of the refuge are supplemented by plantings of millet, smartweed, and rye on suitable areas adjacent to ponds, potholes, and marshes for greatest utilization. Census taking and seasonal usage analyses are standard refuge practices.

Wildlife. The island in its natural setting has long been renowned as a shorebird area. Many species may be seen in breeding or spring plumage during the spring migration which reaches its peak in May. During the fall migration, beginning in July, these species may be seen in their fall or winter plumage accompanied by immature birds.

The island with its varied habitat plays host to many species of land birds as well. Its unique coastal position provides a haven for migrant land birds forced to shore areas by strong westerly winds. Birdwalks are encouraged and have become increasingly popular among a large number of visitors. A birdlist is available upon application to the refuge manager.

Mammals on the refuge include the white-tailed deer, fox, and occasionally muskrat, otter, mink, raccoon, and weasel.

Recreation. " *In its present role it provides* Varied forms of recreation are available to the public on the refuge. They include fishing, hiking, shell collecting, picnicking, and photography. Shellfishing is prohibited, except to people licensed by the town of Chatham.

Cape Cod and its surrounding waters offer one of America's most excellent fishing areas. Among the fish to be caught off Monomoy Island are striped bass, found from May through October; bluefish, caught from August through September; flounder and fluke, with seasons running from June through September; cod, year round; and haddock, caught from May through November. Numerous boat liveries in and around Chatham serve refuge visitors.

Hiking and picnicking are permitted as long as local, State, and Federal ordinances are strictly observed. These are largely concerned with public and private safety and fire prevention. Picnicking, and fire-building are restricted to the beach areas. There is no developed picnic area.

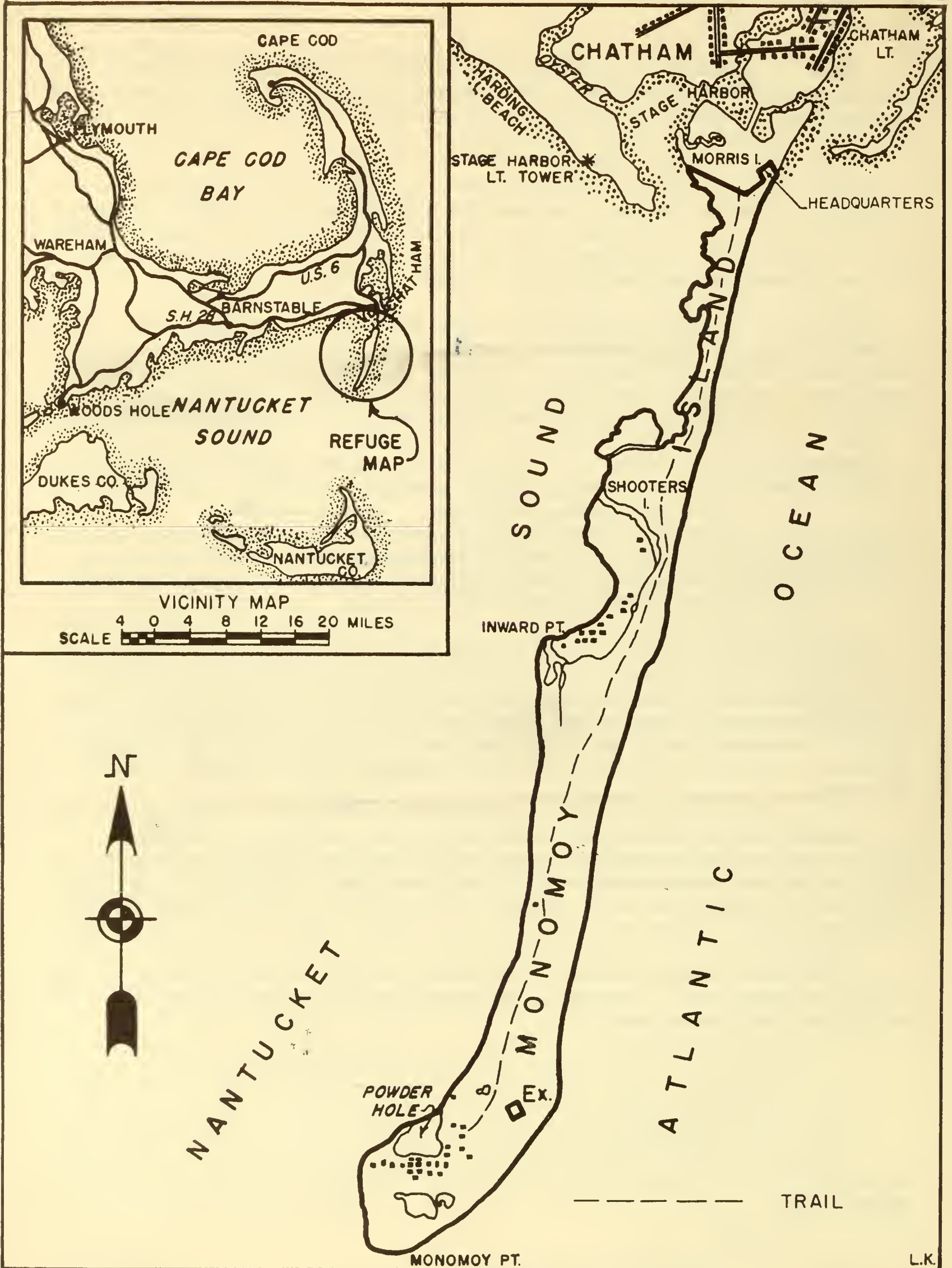
Photography is particularly encouraged, as the island offers a variety of landscapes, seascapes, and wildlife--all admirable subject matter for the photographer.

MONOMOY NATIONAL WILDLIFE REFUGE

BARNSTABLE COUNTY, MASSACHUSETTS

U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF SPORT FISHERIES & WILDLIFE



SCALE 0 20 40 80 120 160 CHAINS
0 1/4 1/2 1 2 MILES

INT.DUP., D.C. 62-10571

1106.3.1

The National Wildlife Refuge System

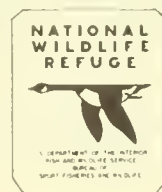


NATIONAL WILDLIFE REFUGES play an important part in the conservation story of the United States. In combination, they make up the National Wildlife Refuge System—a farflung collection of lands and waters selected for their value to America's wildlife populations, particularly migratory birds and rare mammals. Nearly 300 refuges totaling 28¾ million acres are now in this classification.

In 1903, President Theodore Roosevelt set aside Pelican Island on the east coast of Florida to protect a nesting colony of pelicans and herons. It was the first National Wildlife Refuge, the beginning of the System. Later, Roosevelt established additional refuges on public lands, the Congress set aside more areas, and succeeding Presidents established a number of refuges by special orders.



UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
BUREAU OF SPORT FISHERIES AND WILDLIFE
WASHINGTON • ISSUED 1964 • RL-1-A





Buffalo on National Bison Range in Montana.

In 1929, the Migratory Bird Conservation Act provided authority for the purchase of lands needed for waterfowl refuges.

The National Wildlife Refuge System is still growing. The Bureau of Sport Fisheries and Wildlife in the U.S. Fish and Wildlife Service of the Department of the Interior, administrator of the System, believes that the needs of America's waterfowl are still far from being met. Many more acres of wetlands—marshes, swamps, lakes, and streams throughout the Nation—must be added to the present chain of refuges for ducks and geese to survive as a basic resource. Additional areas must be acquired to protect those birds and other animals in danger of extinction by the loss of their habitat to increasing human use.

Although national refuges protect many types of wildlife, they especially safeguard the internationally important migratory waterfowl. Three-fourths of the refuges have been established primarily for these birds. Since 1934, money to purchase waterfowl refuges has come from the sale of migratory bird hunting stamps to duck and goose hunters.

About 50 of the refuges are chiefly for migratory birds other than waterfowl. On them are found dense nesting colonies of pelicans, herons, egrets, ibises, and spoonbills, and a large array of

sea birds. Eighteen refuges are primarily for big game animals. Three large tracts in Alaska and one in Montana are called "Wildlife Ranges." They were established to conserve a variety of wild birds and animals.

Parts of the National Wildlife Refuge System, but actually not refuges in a regular sense because of size, are numerous "waterfowl production areas." They are small pothole marshes in the Prairie States with special duck-producing qualities. Emphasis has been placed on their acquisition, to prevent their imminent destruction by drainage and conversion to farmland. Nearly 1,750,000 acres of these small wetland areas have been scheduled for purchase, lease or easement.

Several individual refuges are well known for protecting endangered species. The Aransas Refuge in Texas is the principal winter home of the whooping crane. Red Rock Lakes Refuge in Montana is a center of abundance for the trumpeter swan. The Key Deer Refuge in Florida was established for the smallest deer in our country. The Cabeza Prieta and Kofa Game Ranges in Arizona and the Desert Game Range in Nevada are special havens for desert bighorn sheep. The Hawaiian Islands Refuge is an irreplaceable nesting site for albatrosses and other oceanic birds, and it is the one and only home of the Laysan duck and the Laysan finch.

National wildlife refuges are becoming well known as places to find large numbers of many kinds of wildlife. Few other places afford opportunities to see great and stirring concentrations of waterfowl and other birds. Considering wild geese alone, more than 25 refuges can each claim gatherings in excess of 50,000 birds. The Klamath Basin refuges in northern California and

Trumpeter swans and Canada geese on Malheur Refuge in Oregon.





Water control dam on Union Slough Refuge in Iowa.

southwestern Oregon at times will support more than half of all the ducks and geese in the Pacific Flyway.

Refuges not only harbor birds and mammals, but also provide for species of plants, insects, amphibians, and reptiles that each year become more difficult to find in other places. Many refuges have fine scenic and historical values that are preserved along with the wildlife.

Our national wildlife refuges are often regarded as self-operating wildlife paradises from the time they are established. More often than not, they have been created from areas misused in the past, through drainage, lumbering, burning, and overgrazing. Almost always they must be restored to first-class wildlife habitat. This is accomplished by the construction of dams, dikes, and fences, as well as farming programs to produce special wildlife foods. Management may also involve the use of irrigation systems, regulated livestock grazing to create habitat for more successful waterfowl nesting, soil conservation practices, forestry programs, and rough fish control—to name a few practices carried out on refuges.

Many refuges contribute substantially to the local economy. By law, the local government shares in revenues from cooperative farming, grazing, haying, sale of timber products, and other economic uses on refuges necessary for the best management of wildlife habitat. Refuges further add to the economic base of the community through local expenditures for food, supplies, and lodgings by people visiting the refuge for recreational purposes, through local purchase by the

refuge of supplies and services, and through the payrolls of refuge employees.

More than 12 million people visit the national wildlife refuges annually. They come to see and photograph wildlife in its natural habitat, to fish, and to picnic. Visitors are most welcome as long as their activities do not interfere with the primary wildlife management program. Picnic grounds, nature trails, visitor centers, and other recreational facilities may be provided as funds become available. Hunting of migratory game birds as well as resident species of game is allowed on parts of some refuges, in accordance with State and Federal regulations. Such hunting helps to regulate and distribute wildlife numbers and prevents local overutilization of food supplies.

About 160 national wildlife refuges have resident staffs. These employees are also responsible for the management of nearby unstaffed refuges. A typical refuge staff consists of a refuge manager, an assistant, maintenance men and/or equipment operators, and a clerk. The manager and his assistant generally have formal training in wildlife management. A college degree in this field, or related studies, is now a prerequisite for such employment.

A map on the last page of this leaflet gives the name and approximate location of each refuge in the System, except for 33 easement refuges in North Dakota. Detailed information on any refuge may be obtained by writing to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 10240.

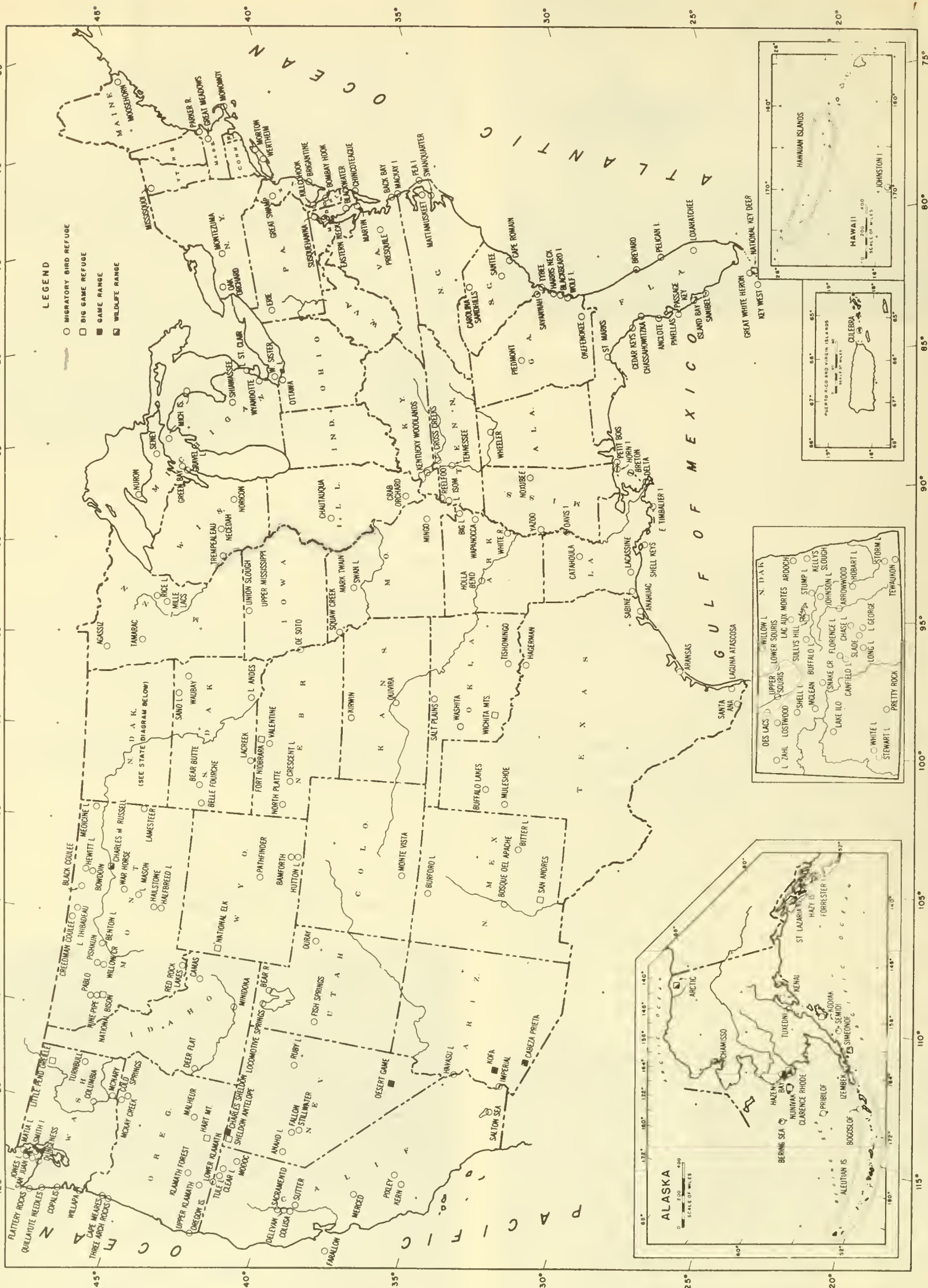
Fishing on Mark Twain Refuge in Illinois.



NATIONAL WILDLIFE REFUGE SYSTEM

FISH AND WILDLIFE SERVICE
BUREAU OF SPORT FISHERIES AND WILDLIFE

UNITED STATES
DEPARTMENT OF THE INTERIOR



The Wilderness Act and the National Wildlife Refuge System



Murres on Three Arch Rocks National Wildlife Refuge, Oregon



UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
BUREAU OF SPORT FISHERIES AND WILDLIFE



THE WILDERNESS ACT AND THE NATIONAL WILDLIFE REFUGE SYSTEM

The Wilderness Act, Public Law 88-577, directed the review within 10 years after September 3, 1964, of every roadless area of 5,000 contiguous acres or more and every roadless island within the National Wildlife Refuges and Game Ranges. Within 3 years after this law was passed the President is required to have completed the studies on one-third of the areas and islands to be reviewed and to report his recommendations to Congress with respect to the designation of each such area or island as a unit in the National Wilderness Preservation System.

All or parts of 28 refuges have been designated for study as candidate wilderness areas during the initial 3-year period. Most of these are small, unusual, or picturesque island refuges established for colonial nesting birds and protected as an important part of the National Wildlife Refuge System. Their selection as candidate areas is based on the fact that they qualify for study and not on any views or opinions the Bureau may have concerning them.

The Bureau's recommendation for including or excluding these areas as candidates for the National Wilderness Preservation System will not be made until its studies have been completed. At that time its recommendations will be submitted to the Secretary of the Interior, following which public hearings will be held in the States where the candidate areas are located. Notice of the public hearings will be made not less than 60 days prior to the hearings. All persons are invited to submit their comments relating to any of the areas designated as candidate areas to the Bureau of Sport Fisheries and Wildlife.

An announcement of these 28 National Wildlife Refuges was issued as a press release by this Department on March 21, 1966. As soon as the Bureau has completed its determination of all candidate areas for consideration within 10 years after September 1964, a public announcement will be made. There follows a brief description of the candidate areas proposed to be studied by the Bureau during the initial 3-year period.

Persons are required to have a special permit to enter most of the following listed refuges. These permits may be requested from the Regional Directors of the Bureau of Sport Fisheries and Wildlife at the following addresses: Pacific - Federal Building, 730 N. E. Pacific Street, Box 3737, Portland, Oregon 97208 (Alaska, California, Oregon, Washington); Southwest - Federal Office Building 517 Gold, S. W., Box 1306, Albuquerque, New Mexico 87103 (Arizona, Oklahoma); North-Central - 1006 W. Lake Street, Minneapolis, Minnesota 55408 (Michigan, Wisconsin); Southeast - 809 Peachtree-Seventh Building, Atlanta, Georgia 30323 (Florida); Northeast - U.S. Post Office and Courthouse, Boston, Massachusetts 02109 (Maine, Massachusetts).

Forrester Island National Wildlife Refuge. Established in 1912 this refuge is at the extreme southeastern boundary of Alaska west of Ketchikan. It comprises 2,832 acres and consists of Forrester and Lourie Islands, as well as Wolf Island and other adjacent rocks. These wooded islands are exceedingly rugged, with precipitous cliffs rising from the surf around almost the entire shoreline. The timbered portions contain Sitka spruce, western hemlock, Alaska yellow and red cedars, with dense underbrush. These islands provide sanctuary for cliff-nesting seabirds, including murre, puffins, auklets, gulls, and cormorants.

Hazy Islands National Wildlife Refuge. This small group of wooded islets in southeastern Alaska was established in 1912 to protect large colonies of tufted and horned puffins, murre, pigeon guillemots, glaucous-winged gulls, pelagic cormorants, black oystercatchers, and a distinct race of the peregrine falcon. The 42 acres of this group are 9 miles west of Coronation Island and 100 miles north of Forrester Island, within the boundaries of the Tongass National Forest.

St. Lazaria National Wildlife Refuge. This island refuge comprising 65 acres is at the entrance of Sitka Sound, approximately 12 miles from Sitka, the old Russian capital of Alaska. St. Lazaria Island is a volcanic, uninhabited island $\frac{1}{2}$ mile long, worn and beaten by the surf. Established in 1909, it contains breeding colonies of puffins, auklets, murre, guillemots, gulls, cormorants, and two kinds of petrels. The latter honeycomb the soil with their underground nesting burrows. More than 25 species of birds have been recorded. Sea lions, fur seals, hair seals, and porpoises frequent the surrounding waters.

Bogoslof National Wildlife Refuge. This refuge of 390 acres consists of small volcanic islets in the Bering Sea, Alaska, 30 miles north of Umnak Island in the Aleutian Chain. Bogoslof Island is in reality the top of a submarine volcano, with its crater at about sea level. At different times since 1796, eruptions have caused the appearance of large peaks, some of which were of material too soft to withstand the washing of the winds and water and gradually disappeared. The vegetation on the two principal peaks which have remained through the years, Castle Rock and Fire Island, is sparse. Established in 1909, the area contains important seabird rookeries, including one of the largest thick-billed and common murre colonies in Alaska. Red-faced cormorants are also prominent in the nesting populations. Large and well-known sea lion colonies occupy available beaches. This refuge is remote and uninhabited.

Semidi National Wildlife Refuge. The principal islands in this refuge, established in 1932, comprise 8,422 acres. The group is in the North Pacific approximately 100 miles off the southwest end of Kodiak Island, Alaska. The refuge supports large seabird rookeries, including colonies of puffins, auklets, petrels, murre, and kittiwakes, together with an enormous colony of fulmars. A large sea lion rookery is on the south end of the group. With precipitous shorelines and few sheltered beaches, the islands are seldom visited by vessels.

Simeonof National Wildlife Refuge. Simeonof Island, one of the Shumagin group south of the Alaska Peninsula, was established in 1948 as a focal point for protection of the growing sea otter populations in the Shumagin Islands. The refuge includes 10,442 acres of land and water, and the boundary extends 1 mile from shore to include shoal waters and rocks used as habitat by the bulk of the present Shumagin Island sea otter population. The island proper is utilized for grazing under a lease issued by the Bureau of Land Management. Although relatively remote, those interested in the study and observation of sea otters can reach the area via chartered vessel or aircraft.

Tuxedni National Wildlife Refuge. Established in 1909 at the entrance to Tuxedni Harbor, Alaska, on the west side of Cook Inlet, this island refuge includes 6,440 acres. Its principal physical feature is Chisik Island, a precipitous rock mass rising to approximately 2,600 feet. There are several other small islands. The area supports a vast black-legged kittiwake colony extending about 2 miles, together with glaucous-winged gulls, tufted and horned puffins, pigeon guillemots, and murre. Access is by vessel or chartered aircraft.

Bering Sea National Wildlife Refuge. This Alaska refuge, comprising St. Matthew, Hall, and Pinnacle Islands in the Bering Sea, about 220 miles north of the Pribilof Islands, was established in 1909 primarily to benefit migratory birds. It is 250 miles from the mainland of Alaska--west of the Yukon-Kuskokwim Delta--and contains 41,113 acres. These islands are practically treeless and surrounded by dangerous and poorly chartered waters. Within this refuge is a colonial seabird nesting area 5 miles long. This rookery contains one of the largest fulmar colonies in existence, together with least, crested, and parakeet auklets, horned puffins, pelagic cormorants, and thick-billed murre. The rare McKay's bunting is known to nest only on the uplands of St. Matthew Island, which reaches an altitude of 1,800 feet. Reindeer introduced as an emergency food source during World War II have now grown to a large herd. Remote, uninhabited, and infrequently visited by vessels, the islands offer little opportunity for the casual visitor.

Kofa Game Range. Established in 1939, this big-game area contains approximately 660,000 acres in Yuma County, Arizona. Its two candidate areas consisting of two mountain ranges that dominate the landscape--the Kofa Mountains and the Castle Dome Mountains--protect a sizable portion of the habitat of the desert bighorn sheep, whose members had declined alarmingly in the arid mountain ranges of southwestern Arizona. The candidate area that qualifies for study comprises 338,760 acres. The principal improvement of the Kofa Game Range has been developing additional water supplies including springs, artificial water holes, and wells for bighorns. In addition to about 300 bighorns, there are desert mule deer, Gambel's quail, and thousands of mourning doves and white-winged doves. Parts of this Game Range are quite remote.

Havasu Lake National Wildlife Refuge. The refuge now contains approximately 25,836 acres along the lower Colorado River in Mohave County, Arizona, and San Bernardino County, California. The principal part extends from the upper end of the Topock Marsh in the vicinity of Needles, California, southward to the head of Parker Dam. Established in 1941 primarily for waterfowl. Also supports doves, quail, desert bighorn, and small mammals. Important wintering area for the "Great Basin" Canada goose and other waterfowl. Camping, boating, and fishing permitted on some parts; waterfowl, quail, and rabbit hunting on limited area in season; concessions provide boat rentals, fishing tackle, bait, etc. A candidate area known as the "Needles" containing 16,261 acres in Arizona has been designated for study.

Cedar Keys National Wildlife Refuge. Established in 1929, this Florida refuge of 379 acres consists of Sea Horse Key, Dead Man or Bird Key, Snake Key, and North Key. It is in the Gulf of Mexico off the coast of Levy County, Florida. Sea Horse, Snake, and North Keys are beautiful islands with narrow beaches of pure white sand. They are heavily wooded with liveoaks, cabbage palmettoes, and mangroves, interspersed with a variety of other plants. Dead Man or Bird Key, the smallest of the islands, is flat and sandy and covered with mangroves to the very edge of the water. These islands are important nesting and wintering grounds for pelicans, cormorants, and several species of herons. Louisiana herons, snowy egrets, and little blue herons are the principal nesting birds, but common egrets, brown pelicans, and a few ospreys also nest.

Island Bay National Wildlife Refuge. This 20-acre refuge, established in 1908, comprises a group of unsurveyed mangrove and other islands in Charlotte Harbor, Charlotte County, on the gulf coast of Florida. Most of the islands are unnamed. The refuge is used as a nesting place by white ibises, cormorants, brown pelicans, common egrets, and Louisiana herons. Man-o'-war-birds are present at various times of the year.

Key West National Wildlife Refuge. Established in 1908, this Florida refuge includes the larger part of the Keys in an area 15 miles wide extending about 25 miles west from the city of Key West. The major parts of Marquesas, Big and Little Mullet, Boca Grande, Man and Woman, Barracouta, Cottrell, and Archer Keys are included. The refuge affords habitat to a wide variety of birds, especially thousands of terns, many frigatebirds, roseate spoonbills, white-crowned pigeons, and great white herons. The Great White Heron National Wildlife Refuge and the National Key Deer Refuge adjoin the Key West Refuge on the east and are administered jointly.

Passage Key National Wildlife Refuge. This was one of the earliest refuges--1905--and is near the mouth of Tampa Bay in Manatee County, Florida. Passage Key is a flat island of 36 acres, covered with white

sand and a variety of shells, which is continually washed and changed by the tide. Thousands of black skimmers and laughing gulls nest here, and large numbers of these birds, royal and least terns, and herring gulls use the refuge as a resting place.

Pelican Island National Wildlife Refuge. The first of what is now a National Wildlife Refuge System of over 300 areas, Pelican Island Refuge was established by an Executive order of President Teddy Roosevelt in 1903. Originally the refuge comprised only Pelican Island, but additions now total 616 acres. These islands and adjacent mangrove marshes in the Indian River provide nesting for hundreds of brown pelicans, white ibises, cormorants, Louisiana and little blue herons, snowy and common egrets, anhingas, and night herons. A boat is necessary to view Pelican Island proper, although the southern end of the refuge can be seen from State Road 510 east of Wabasso. Boat trips can be arranged from nearby Sebastian. This Florida refuge was dedicated as a Registered National Historic Landmark in 1963.

Pinellas National Wildlife Refuge. This mangrove key of 278 acres in Tampa Bay Florida near the Sunshine Skyway Bridge was established in 1951. It provides nesting habitat for several species of herons, egrets, and cormorants. It is also attractive to man-o'-war-birds and roseate spoonbills. The Pinellas Refuge, which includes all of Bush Key, is now leased from the State. Originally Bush Key was included as part of the Indian Key (locally called Bird Key) Refuge established by an Executive order in 1906. It was later determined that Bird and Bush Keys were not in Federal ownership.

Moosehorn National Wildlife Refuge. Established in 1937, this refuge contains 22,566 acres near Calais, Washington County, Maine. The primary northern unit contains over 16,000 acres, bounded by the St. Croix River, which here forms the United States and Canada boundary. The southern 6,500 acres, Edmunds Unit, is crossed by U.S. Highway 1. This unit borders the tidal waters of Cobscook Bay, which is a branch of Passamaquoddy Bay. A new Visitor Center was completed recently. Much of the area is wooded, with marshes and small beaver impoundments attractive to waterfowl and woodcock. Two island areas of about 3 acres each have been designated for study as candidate areas.

Monomoy National Wildlife Refuge. Located on the "elbow" of Cape Cod, Barnstable County, Massachusetts, this island peninsula of 2,698 acres was established in 1944. Varying in width from $\frac{1}{4}$ to $\frac{1}{2}$ mile, this area stretches approximately 10 miles south from the mainland into the Atlantic Ocean and Nantucket Sound. The sand dunes protect salt and fresh marshes, fresh-water ponds, potholes, and coastal thickets. Nearly 275 species of birds have been recorded, with tremendous numbers of shorebirds at times. During the winter a million eiders and scoters have used waters and shoal areas surrounding Monomoy.

Huron National Wildlife Refuge. This refuge comprises five islands totaling 147 acres along the south shore of Lake Superior near the village of Big Bay, Marquette County, Michigan. These five islands were unnamed at the time of establishment in 1905. They are in sections 26, 27, 34, and 35, T. 53 N., R. 29 W., in Michigan. They provide nesting sites for cormorants, gulls, and terns.

Michigan Islands National Wildlife Refuge. This refuge was established in 1947 in Alpena and Charlevoix Counties, Michigan, and consists of three islands in Lake Huron and Lake Michigan containing about 12 acres for herons, gulls, and terns. Included are Shoe Island, 0.56 acre, and Pismire Island (near Garden Island), 2.42 acres, both in Lake Michigan; and Scarecrow Island, 8.96 acres, in Lake Huron.

Wichita Mountains Wildlife Refuge. This famous refuge of 59,020 acres is in Comanche County in southwestern Oklahoma. Established in 1905 as a big-game area, primarily for buffalo, it also supports elk, deer, Texas longhorn cattle, wild turkey, and small mammals and is an outstanding example of native grasslands. Wichita is one of the most popular National Wildlife Refuge recreational areas, attracting more than a million people annually. It is the site of an annual Easter Pageant. Public camping areas and facilities provided; fishing, swimming, and limited boating permitted; no lodgings or meals available; accessible to the public on established public roads. Most of the big-game animals are kept in a part of the refuge where tall grass flourishes and water supplies are adequate. Parts of this area are quite remote. A candidate area of 5,000 acres in the southwest part of the refuge has been designated for wilderness study.

Oregon Islands National Wildlife Refuge. The Oregon Islands Refuge, originally known as Goat Island, consists at present of a small island of 21 acres arising 100 feet from the sea off the coast of Curry County, Oregon. It was established in 1935. The top of the island supports a good stand of grass, other herbaceous growth, but no trees. Western gulls are the principal birds which nest on the refuge, but it is visited regularly by common murre, tufted puffins, and other sea birds. The rare "white-cheeked" Canada goose uses it as a feeding ground during migration periods.

Three Arch Rocks National Wildlife Refuge. Comprising a group of nine small islands from $\frac{1}{2}$ to 1 mile off the coast of Tillamook County, Oregon, totaling about 17 acres, the Three Arch Rocks Refuge was established in 1907. It derives its name from three of the largest rocks having arches through which a boat of considerable size could pass safely. Large numbers of common murre, western gulls, double-crested cormorants, tufted puffins, Leach's and fork-tailed petrels, and a few pigeon guillemots and black oystercatchers nest there. Two subspecies of Canada geese, previously known as the "white-cheeked" and "cackling" geese, occasionally alight on the grassy tops of the rocks, and a colony of Stellar sea lions lives on and about the rocks.

Copalis National Wildlife Refuge. This refuge, established in 1907, includes a number of islets in the Pacific Ocean extending for about 24 miles along the coast of Grays Harbor County, Washington, among which are Tunnel (Arch) Island, Sea Lion Rock, Willoughby Rock, Split Rock, Flat Rock, Sonora Reef, Grenville Arch, Copalis Rock, and numerous other unnamed rocks. In the aggregate, they contain 5 acres. Glaucous-winged gulls, common murres, tufted puffins, Leach's petrels, pigeon guillemots, rhinoceros auklets, and double-crested and Baird's cormorants are among the birds nesting there. A few black oystercatchers also nest on some of the islands. During the winter the refuge is visited by black turnstones, rock sandpipers, two subspecies of Canada geese previously known as the "cackling" and "white-cheeked" geese, and other birds of the Far North.

Flattery Rocks National Wildlife Refuge. This refuge, comprising Strawberry Rock, Spike Rock, Father and Son, Bodeltch Island, Tskawahyah Island, Flattery Rocks, Ozette Island, White Rock, and numerous other small unnamed rocks in the Pacific Ocean lying off the coast of Clallam County, Washington, was established in 1907. It contains 125 acres and extends for about 30 miles along the coast. Large numbers of birds breed there, including glaucous-winged gulls, black oystercatchers, pigeon guillemots, tufted puffins, rhinoceros and Cassin's auklets, common murres, Leach's petrels, and double-crested and Baird's cormorants. During the winter surf birds, black turnstones, rock sandpipers, and two subspecies of Canada geese, formerly known as the "cackling" and "white-cheeked" geese, rest and feed on the islands.

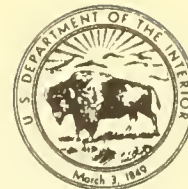
Quillayute Needles National Wildlife Refuge. The Quillayute Needles Refuge, situated a few miles north of the Copalis Refuge and comprised of a group of small islands in the Pacific Ocean extending for about 30 miles along the coast of Clallam and Jefferson Counties, Washington, was established in 1907. It contains 117 acres. The islands range in size from small rocks, barely above the surface of the water, to islands 20 acres in area. Many of them are covered with grass, scraggly bushes, and a few trees. Landings at all of them are made with difficulty, and, as a result, the wildlife is in little danger of molestation. Among the islands are Hand Rock, Foot Rock, Two Man Rock, Carroll Island, Bald Island, Jagged Island, Sandy Island, Dahdayla Rock, Cake Rock, James Island, Quillayute Needles, Giants Grave Yard, Rounded Island, Alexander Island, Perkins Reef, North Rock, Middle Rock, Abbey Island, South Rock, and numerous other unnamed rocks. The refuge is the breeding ground of many species of birds, chief among which are Leach's petrel, tufted puffins, rhinoceros auklets, western and glaucous-winged gulls, double-crested and Baird's cormorants, common murres, black oystercatchers, and pigeon guillemots. A colony of sea lions resides on Jagged Island. During the winter the refuge is visited by "white-cheeked" Canada geese, surf birds, black turnstones, and rock sandpipers.

Gravel Island National Wildlife Refuge. Established in 1913, this refuge comprises Gravel Island and Spider Island in Lake Michigan near Ellison Bay, Door County, Wisconsin. These islands, containing about 27 acres, provide nesting habitat for Caspian terns, herring gulls, and a few ducks.

Green Bay National Wildlife Refuge. This refuge, comprising a small island known as Hog Island, about $\frac{1}{2}$ mile east of Washington Island, at the entrance to Green Bay in Lake Michigan, Door County, Wisconsin, was established in 1912. It contains 2 acres. The shores of Hog Island are rocky, and the island is much higher than any of the others in the vicinity. It is well covered with timber, mostly birch and spruce. Caspian terns, herring gulls, and a few ducks nest there. It is also used by migratory birds for resting and feeding.



BIRDS OF MONOMOY NATIONAL WILDLIFE REFUGE



1106.5.1

The Monomoy National Wildlife Refuge is located on a spit of sand beach and dunes extending for 10 miles into the Atlantic Ocean from the "elbow" of Cape Cod. Monomoy Island has been formed by nature into a coastal barrier beach ranging in width from $\frac{1}{4}$ to $1\frac{1}{2}$ miles. This refuge, established in 1944, is located within the bounds of the town of Chatham, Barnstable County, Massachusetts. It serves as a link in the chain of migratory waterfowl refuges along the Atlantic Flyway extending from Canada to the Gulf of Mexico. It is administered by the Bureau of Sport Fisheries and Wildlife, U.S. Fish and Wildlife Service, in the Department of the Interior.

The entire island, comprising approximately 3,000 acres, consists of dunes, both salt and fresh marsh, fresh water ponds and potholes, and coastal thickets. Natural foods on the refuge are supplemented by plantings of millet, smartweed and rye sown adjacent to the waterfowl areas for greatest utilization. Precipitation is the only source of water supply. However, a high water table has allowed the successful development of numerous potholes and small ponds which provide additional feeding and resting areas.

At the present little nesting occurs, although black ducks, blue-winged teal and red-breasted mergansers do breed each year. Monomoy is the southernmost point in North America where breeding of the latter species occurs. Although the area is managed primarily for waterfowl, particularly black ducks and Canada geese, other species utilize the refuge and its adjacent waters throughout the year. Greatest interest centers around fall migration and the winter months at which time many thousands of eiders and scoters are present.

The island in its natural state and setting, claimed by many prominent individuals in the fields of natural sciences to have no equal, has also long been renowned as a shorebird area. Many species may be seen in breeding plumage during the spring migration, which reaches its height during the month of May. During the fall migration, which begins in July, these same species may be seen in their fall plumage accompanied by immature birds. The island with its varied habitat also plays host to many species of landbirds. Its unique coastal position provides a haven for migrant birds forced to shore areas by strong westerly winds.

The following birdlist contains 269 species and was compiled by refuge personnel and local ornithologists. Another 28 species, which are rare or have occurred accidentally, are placed on the last page. Those marked with an * are present occasionally in winter. Those denoted by a #, normally winter or transient visitors, may remain during the summer in limited numbers. This list, using species names, generally is in accordance with the Fifth (1957) A.O.U. Check-List. The status and abundance symbols, used in combination, are defined as follows:

StatusAbundance

P - Permanent
S - Summer
W - Winter
R - Resident

T - Transient
A - Accidental
V - Visitor

a - abundant o - occasional
c - common r - rare
u - uncommon

Common Loon	#	WV-u	Barrow's Goldeneye	WV-o
Red-throated Loon	#	WV-c	Bufflehead	WV-c
*Red-necked Grebe		TV-o	Oldsquaw	WV-c
Horned Grebe		WV-u	Harlequin Duck	AV-r
Pied-billed Grebe		SR-c	Common Eider	# WR-a
Sooty Shearwater		SV-o	King Eider	WV-o
Greater Shearwater		SV-o	White-winged Scoter	# WR-a
Cory's Shearwater		SV-o	Surf Scoter	# WV-u
Fulmar		WV-r	Common Scoter	# WV-c
Leach's Petrel		AV-r	Ruddy Duck	WV-u
Wilson's Petrel		SV-o	Hooded Merganser	TV-o
Gannet	#	WV-c	Common Merganser	WV-u
Double-crested Cormorant		TV-u	Red-breasted Merganser	# WV-c
Great Blue Heron		PR-c	Goshawk	AV-o
Common Egret		SV-u	Sharp-shinned Hawk	AV-r
Snowy Egret		SV-o	Cooper's Hawk	TV-o
Little Blue Heron		SV-o	Red-tailed Hawk	TV-o
Green Heron		SR-u	Red-shouldered Hawk	TV-o
*Black-crowned Night Heron		SR-c	Broad-winged Hawk	TV-o
Yellow-crowned Night Heron		SR-r	Rough-legged Hawk	TV-o
*American Bittern		SR-u	Bald Eagle	AV-r
Canada Goose		WR-a	*Marsh Hawk	SR-c
*Brant		TV-u	Osprey	TV-r
White-fronted Goose		AV-r	Gyr Falcon	AV-r
Snow Goose		TV-r	Peregrine Falcon	TV-o
Blue Goose		AV-r	Pigeon Hawk	TV-o
Mallard		PR-c	*Sparrow Hawk	SV-c
Black Duck		PR-a	King Rail	TV-r
Gadwall		TV-u	Clapper Rail	TV-r
Pintail		WV-u	Virginia Rail	TV-u
European Teal		AV-r	Black Rail	AV-r
*Green-winged Teal		TV-c	Common Gallinule	AV-r
Blue-winged Teal		TV-c	American Coot	TV-c
European Widgeon		AV-r	Piping Plover	TV-c
*American Widgeon		TV-c	Semipalmated Plover	TV-a
Shoveler		TV-o	Killdeer	TV-u
Wood Duck		TV-o	American Golden Plover	TV-u
Redhead		TV-o	*Black-bellied Plover	# TV-a
Ring-necked Duck		TV-r	Ruddy Turnstone	TV-c
Canvasback		TV-o	American Woodcock	TV-r
Greater Scaup		WV-u	Common Snipe	TV-o
Lesser Scaup		TV-o	Whimbrel	TV-u
Common Goldeneye		WR-c	Upland Plover	TV-o

Spotted Sandpiper		TV-u	Short-eared Owl	SR-u
Solitary Sandpiper		TV-o	Whip-poor-will	TV-r
Willet		TV-u	Common Nighthawk	TV-r
Greater Yellowlegs		TV-c	Chimney Swift	TV-o
Lesser Yellowlegs		TV-c	Ruby-throated Hummingbird	TV-o
Knot	#	TV-c	*Belted Kingfisher	SR-u
Pectoral Sandpiper		TV-u	*Yellow-shafted Flicker	TV-c
White-rumped Sandpiper		TV-u	Red-headed Woodpecker	TV-r
Least Sandpiper		TV-c	Yellow-bellied Sapsucker	TV-r
Curlew Sandpiper		AV-r	Hairy Woodpecker	WV-r
*Dunlin		TV-c	Downy Woodpecker	WV-r
Long-billed Dowitcher		AV-r	Eastern Kingbird	TV-u
Stilt Sandpiper		AV-r	Western Kingbird	TV-r
Semipalmated Sandpiper	#	TV-a	Great Crested Flycatcher	TV-r
Western Sandpiper		AV-r	Eastern Phoebe	TV-u
Buff-breasted Sandpiper		TV-r	Yellow-bellied Flycatcher	TV-r
Marbled Godwit		TV-o	Traill's Flycatcher	TV-r
Hudsonian Godwit		TV-o	Least Flycatcher	TV-o
*Sanderling	#	TV-a	Eastern Wood Peewee	TV-u
Red Phalarope		TV-r	Olive-sided Flycatcher	TV-r
Northern Phalarope		TV-r	Horned Lark	PR-c
Pomarine Jaeger		TV-u	Tree Swallow	SV-c
Parasitic Jaeger		TV-c	Bank Swallow	TV-o
Long-tailed Jaeger		TV-r	Rough-winged Swallow	TV-o
Glaucous Gull		AV r	Barn Swallow	SV-c
Iceland Gull		AV-r	Cliff Swallow	TV-r
Great Black-backed Gull		PR-c	Purple Martin	TV-r
Herring Gull		PR-a	Blue Jay	PR-c
Ring-billed Gull		WV-o	Common Crow	PR-c
Laughing Gull		SV-c	Black-capped Chickadee	PR-c
Bonaparte's Gull		TV-o	Boreal Chickadee	AV-r
Sabine's Gull		AV-o	Red-breasted Nuthatch	TV-o
Common Tern		SR-a	Brown Creeper	TV-o
Arctic Tern		SR-u	House Wren	TV-o
Roseate Tern		SR c	Winter Wren	TV-o
Least Tern		SR-u	Long-billed Marsh Wren	TV-o
Royal Tern		SV-r	Short-billed Marsh Wren	TV-o
Caspian Tern		TV-r	Mockingbird	TV-r
Black Tern		TV-o	Catbird	SR-c
Black Skimmer		SV-r	Brown Thrasher	TV-u
Razorbill		AWV-r	Robin	SR-u
Common Murre		AWV-r	Hermit Thrush	TV-u
Thick-billed Murre		AWV-r	Swainson's Thrush	TV-u
Dovekie		AWV-r	Gray-cheeked Thrush	TV-r
Black Guillemot		AWV-r	Veery	TV-r
Common Puffin		AWV-r	Eastern Bluebird	SV-u
Mourning Dove		SV-o	Blue-gray Gnatcatcher	TV-r
Yellow-billed Cuckoo		TV-o	Golden-crowned Kinglet	TV-u
Black-billed Cuckoo		SV-u	Ruby-crowned Kinglet	TV-r
Barn Owl		AV-r	Water Pipit	TV-o
Great Horned Owl		SV-u	Cedar Waxwing	TV-r
Snowy Owl		WV-r	Northern Shrike	WV-o
Barred Owl		AWV-r	Loggerhead Shrike	TV-r

Starling	PR-o	Bobolink	TV-c
White-eyed Vireo	TV-r	*Eastern Meadowlark	SR-c
Yellow-throated Vireo	TV-r	Yellow-headed Blackbird	AV-o
Solitary Vireo	TV-r	*Redwinged Blackbird	SR-c
Red-eyed Vireo	SR-u	Baltimore Oriole	TV-u
Philadelphia Vireo	TV-r	Rusty Blackbird	TV-r
Warbling Vireo	TV-r	Common Grackle	TV-r
Black-and-white Warbler	SR-u	Brown-headed Cowbird	TV-u
Prothonotary Warbler	TV-r	Scarlet Tanager	TV-o
Worm-eating Warbler	AV-r	Summer Tanager	AV-r
Blue-winged Warbler	TV-r	Rose-breasted Grosbeak	TV-r
Tennessee Warbler	TV-o	Blue Grosbeak	AV-r
Orange-crowned Warbler	TV-r	Indigo Bunting	TV-r
Nashville Warbler	TV-u	Dickcissel	TV-o
Parula Warbler	SR-u	Purple Finch	TV-u
Yellow Warbler	SR-u	Common Redpoll	WV-r
Magnolia Warbler	TV-u	Pine Siskin	WV-r
Cape May Warbler	TV-u	American Goldfinch	TV-u
Black-throated Blue Warbler	TV-u	Red Crossbill	WV-r
*Myrtle Warbler	TV-u	Rufous-sided Towhee	SR-u
Black-throated Green Warbler	SR-o	Ipswich Sparrow	TV-u
Blackburnian Warbler	TV-r	Savannah Sparrow	SR-c
Chestnut-sided Warbler	TV-u	Henslow's Sparrow	AV-r
Bay-breasted Warbler	TV-r	Sharp-tailed Sparrow	SR-c
Blackpoll Warbler	TV-c	Seaside Sparrow	SR-o
Pine Warbler	SR-u	Vesper Sparrow	TV-u
Prairie Warbler	TV-o	Lark Sparrow	TV-r
Palm Warbler	TV-r	Slate-colored Junco	WV-r
Ovenbird	SR-u	Tree Sparrow	WV-u
Northern Waterthrush	TV-u	Chipping Sparrow	SR-u
Connecticut Warbler	TV-r	Field Sparrow	TV-r
Mourning Warbler	TV-r	White-crowned Sparrow	TV-o
Yellowthroat	SR-c	White-throated Sparrow	TV-r
Yellow-breasted Chat	TV-r	Lincoln's Sparrow	TV-r
Hooded Warbler	TV-r	Swamp Sparrow	TV-o
Wilson's Warbler	TV-r	Song Sparrow	SR-c
Canada Warbler	TV-r	Lapland Longspur	WV-r
American Redstart	SR-u	Snow Bunting	WV-c
House Sparrow	PR-o		

These additional 28 species are of extremely accidental or rare occurrence on the refuge, have been identified by one or more ornithologists and field observers, and are worthy of note:

Arctic Loon	Purple Gallinule	Gull-billed Tern
Eared Grebe	American Oystercatcher	Forster's Tern
Western Grebe	Wilson's Plover	Sooty Tern
Manx Shearwater	Ruff	Bridled Tern
Brown Pelican	Wilson's Phalarope	Fish Crow
Brown Booby	Black-headed Gull	Yellow-throated Warbler
Reddish Egret	Little Gull	Oregon Junco
Louisiana Heron	Ivory Gull	Clay-colored Sparrow
Swainson's Hawk	Black-legged Kittiwake	Fox Sparrow
Ring-necked Pheasant		

RL-168-R

Issued: September 1956

Revised: May 1961

FLORA OF MONOMOY ISLAND, MASSACHUSETTS

EDWIN T. MOUL¹

The flora of Monomoy Island, Massachusetts, has been investigated during the summers of 1965, 1966, and 1967 in July and August as part of the Systematics-Ecology Program of the Marine Laboratory at Woods Hole. This is part of the survey of the plants of the marine fringe being made for the Cape Cod area under that program.

Monomoy Island is a large mass of sand, one-quarter to one mile wide, built up by shore-drifting from the northern shores of the Cape. It extends into Nantucket Sound for 8 miles, south of Chatham. At present it is under the administration of the Bureau of Sport Fisheries and Wildlife and is reserved as a Wild Life Refuge. The island is built up of a number of curving sand ridges which have become connected by wind-formed dunes. Several natural fresh water ponds and marshes have developed in the hollow of some of the dunes. A number of artificial ponds have been dug by the Bureau of Wildlife to provide food and resting places for migratory wild fowl.

The survey of the island was made by a group of associates from the Systematics-Ecology Program from the laboratory, including Mr. Peter Schwamb, curator of the Gray Museum. We were assisted by Mr. Dana Eldridge, a native of Orleans, Massachusetts. Three areas were covered as completely as possible by doubling back and forth across the island. Herbarium specimens were collected and deposited in the Herbarium of the Gray Museum at the Marine Laboratory, with duplicates placed in the Chrysler Herbarium at Rutgers, The State University, New Jersey.

The areas surveyed were as follows: Area #1 at the southern tip of the island, known as Monomoy Point, around Big Station Pond and Powder Hole. This is an area of dunes, brackish ponds, and fresh water marshes; Area

¹Systematics-Ecology Program Contribution #155, supported in part by a grant from the Ford Foundation to Systematics-Ecology Program, Marine Biological Laboratory.

#2 was north of this around the Old Monomoy Light Tower and the abandoned Coast Guard Station; Area #3 was at Inward Point and around Hospital Pond. North of Inward Point the island is completely covered with typical dune vegetation.

The flora of islands change over the years. Examination of the records of the flora of Penikese Island (Jordan 1874, Lewis 1924, Fogg 1930, Moul 1948, Moul 1961) will show some drastic changes over the years. So the list of species presented here should be considered the summer flora of Monomoy Island at the present time. A number of plants reported for Monomoy Island by S. G. Cross and C. E. Cross in 1954 (unpublished list provided by Mrs. Marcia G. Norman) were not found. Some of the plants included in this 1954 list are possible misidentifications, since a number of them do not occur in the range of Gray's Manual. *Arctostaphylos uva-ursi*, *Kalmia angustifolia* and *Chrysanthemum leucanthemum* listed as present by Cross and Cross cannot be conspicuous members of the flora, since they were not found even after extensive search in 1967. Moul noted (1961) that *Chrysanthemum leucanthemum*, formerly common on Penikese Island has become extremely rare.

The dominant vegetation type of the island is the dune grass community (*Ammophila breviligulata*) on the primary dunes. With the grass are the usual associates *Lathyrus japonicus*, *Solidago sempervirens*, and *Xanthium echinatum*. This community occupies the whole northern end of the island and the east and west shores. The secondary dunes have dune grass on them, but are principally covered with a *Hudsonia-Cladonia* association. *Artemisia caudata*, *Chrysopsis falcata*, and *Lechea maritima* are commonly associated with *Hudsonia*. These secondary dune communities are very extensive in the Inward Point area and the area around the Monomoy Light Tower. The inner dunes at Monomoy Point (area #1) are covered with a growth of *Ammophila* and *Phragmites communis*. Thickets typical of the main Cape, consisting of *Myrica pensylvanica*, *Rosa rugosa*, *Prunus maritima*, and *Rhus radicans*, occur in the protected hollows and slopes of the inner dunes.

Beach vegetation on the Nantucket Sound or west coast of the island is typical of the Cape beaches. *Cakile edentula*, *Xanthium echinatum*, *Lathyrus japonicus*, and *Atriplex arenaria* are the principal plants of the association. This community is missing on the east or ocean shore.

Extensive cat-tail (*Typha*) marshes occur north of Big Station Pond at Monomoy Point (area #1). *Typha angustifolia* forms a dense phalanx, beneath which grows *Galium palustre*, *Ptilimnium capillaceum*, and *Pluchea purpurascens* in dense stands. The waterways, probably made by muskrats, are filled with *Ludwigia palustris*.

The wet depressions at Monomoy Point and the Lighthouse area have *Festuca rubra* and *Spartina patens* in them. The other species associated with the grasses are *Polygonum* spp., *Rumex crispus*, *Lycopus americanus*, *Scutellaria epilobiifolia*, *Teucrium canadense*, and *Iris versicolor*. This type of vegetation is also found along the shores of the many artificial ponds. Cat-tails and *Onoclea sensibilis* also occur along the shores of some of these ponds. The sand removed in digging the ponds has been piled into artificial dunes, which are now covered with *Rhus radicans*, *Myrica pensylvanica* and *Prunus maritima*.

In the center of the island at area #2 are a few small thickets made up of *Salix discolor*, *Amelanchier laevis*, *Vaccinium corymbosum*, and *Prunus serotina*, with dense margins of *Myrica pensylvanica*. A few *Pinus rigida* grow in the protection of these thickets. The shrubs and trees here show wind pruning due to salt spray.

A number of bogs occur in depressions of the dunes in area #2. *Vaccinium macrocarpon* and *Sphagnum palustre* form the dense ground cover. *Viola lanceolata*, *Lycopodium inundatum*, *Drosera rotundifolia*, and *Pogonia ophioglossoides* grow in these bogs. *Polytrichum commune* occurs around the drier margins of the bogs.

The weedy species such as *Daucus carota*, *Phytolacca americana*, and *Achillea millefolium* are confined principally to the area of the lighthouse and abandoned Coast Guard station, showing the influence of man.

The most mature vegetation occurs at Inward Point (area

#3). This part of the island has been used for years by summer visitors and a number of old cottages are located here. What probably was formerly a fresh water pond, and still may be flooded during wet summers, is dotted with hummocks of *Juncus effusus*. *Ptilimnium capillaceum*, *Hypericum virginicum*, *Osmunda cinnamomea*, and *Iris versicolor* form a dense cover in the wet bottom. A few patches of open water persist. *Dicranum scoparium* grows in the drier portions of the marsh along the border. The thicket surrounding this marsh is quite dense and contains most of the woody species reported for the island. *Vaccinium corymbosum* is very common, and in the summer of 1965 bore a prolific crop of berries, but had no fruit in 1966 or 1967. *Pinus sylvestris* has apparently been planted here in the thickets, and the trees have produced cones regularly.

The largest typical New England type salt marsh occurs north of Inward Point. It is dissected by creeks, and there are a number of dry "pannes" in which scattered *Salicornia* spp., and *Plantago oliganthos* grow. This marsh extends almost completely across the island and merges with the dune grass of the eastern dunes.

Nomenclature used in the list of higher plants is that of Fernald (1950). Nomenclature for the mosses is that of Grout (1940). The assistance of Dr. David Fairbrothers and Mary Hough in identification of a number of taxa is acknowledged.

LICHENS

Cladonia sylvatica (L.) Hoffm. Bare sandy areas on dunes, between vegetation. Areas #1, #2.

Cladonia sp. Between *Hudsonia* plants on dunes near center of island. Area #3.

BRYOPHYTES

Dicranum scoparium Hedw. Path around fresh water marsh in thickets. Area #3.

Polytrichum commune L. var. *perigoniale* (Mx.) Bry. Eur. Carpeting areas around edge of sphagnum-cranberry bogs. Area #2.

Sphagnum palustre L. In the bogs. Area #2.

VASCULAR PLANTS

- Lycopodium inundatum* L. Fairly common in sphagnum bogs in the hollows of dunes in Area #2.
- Osmunda cinnamomea* L. Fresh water marsh in Area #3. Inward Point.
- Dryopteris thelypteris* (L.) Gray. var. *pubescens* (Lawson) Nakai. Commonest fern. Beneath cat-tails in Area #1. Also around artificial ponds and fresh water marshes in areas #2 and #3.
- Onoclea sensibilis* L. Fairly common. In cat-tail marsh, around artificial ponds and bogs in Areas #1 and #2.
- Juniperus virginiana* L. Small trees to 2 feet in height around abandoned lighthouse. Area #2.
- Pinus rigida* Mill. A few low scrubby trees in the center of the island, Area #2. Frequently protected by willow and shad-bush thickets.
- Pinus sylvestris* L. Planted around a fresh water marsh. In thickets. Cones present. Inward Point. Area #3.
- Typha angustifolia* L. Very common in low marshy area between dunes. Monomoy Point. Area #1.
- Ruppia maritima* L. In brackish water ponds near Monomoy Point. Covered with blue-green algae. Area #1.
- Triglochin maritima* L. In the *Spartina patens* zone of the salt marsh. Inward Point. Area #3.
- Agrostis alba* L. var. *palustris* (Huds.) Pers. Drier parts of the hollows between dunes and ponds. Area #1, and at the edge of salt marsh and dunes at Inward Point, area #3.
- Agrostis scabra* Willd. Shade of willow thicket. Center of island. Area #2.
- Ammophila breviligulata* Fern. Common grass of all dune areas.
- Bromus tectorum* L. Bare sandy spots in center of island near cottages. Inward Point. Area #2.
- Elymus virginicus* L. var. *halophilus* (Bickn.) Wieg. Very common at edge of salt marsh and dunes. Upper beach next to dunes. Inward Point. Area #2.
- Festuca rubra* L. Wet swale, area #1. Edge of cranberry bog, area #2.

- Panicum virgatum* L. Border of fresh water marsh and dunes, area #1. Dunes and marsh border, east side of island, area #3.
- Phragmites communis* Trin. Very common around brackish ponds, on dunes, and in swales. Monomoy Point, area #1.
- Spartina alterniflora* Loisel. Brackish pond, area #1. Salt marsh in area #3.
- Spartina patens* (Ait.) Muhl. Drier part of swale, area #1. Salt marsh in area #3.
- Carex comosa* Boott. Wet area in center of island, area #2.
- Carex longii* Mackenzie. Swale near brackish ponds. Fairly common at other places in the dunes, area #1.
- Cyperus grayii* Torr. Bare sandy area between *Hudsonia* dunes, area #1. Dunes on east side of island, Inward Point, area #3.
- Eleocharis halophila* Fern. & Brack. Swale on border of fresh water ponds, area #1.
- Eleocharis parvula* (R. & S.) Link. Edge of brackish ponds. Very common, area #1.
- Eriophorum virginicum* L. Wet area in hollow of dunes, area #2.
- Scirpus americanus* Pers. Swale, border of brackish ponds, area #1. Dune-marsh transition zone, east side of island. Inward Point, area #3.
- Scirpus cyperinus* (L.) Kunth. Marsh area north of brackish ponds, area #1. Wet thickets in middle of island, area #2.
- Juncus acuminatus* Michx. Wet area near brackish ponds, area #1.
- Juncus effusus* L. In fresh water marsh. Inward Point, area #3.
- Juncus gerardi* Loisel. Salt marsh. Inward Point, area #3.
- Juncus greenii* Oakes & Tuck. Wet area near brackish ponds, area #1. Sandy soil, hollow of dunes, area #2.
- Smilacina stellata* (L.) Desf. var. *crassa* Vict. Small plants. In path cut through thickets around fresh water marsh, area #3.

Smilax rotundifolia L. Tangle on shrubs of thickets, area #3.

Iris versicolor L. Around artificial ponds in area #2. In fresh-water marsh at Inward Point, area #3.

Sisyrinchium angustifolium Mill. Around fresh-water ponds, area #2.

Pogonia ophioglossoides (L.) Ker. In sphagnum-cranberry bog between dunes in area #2. Fruiting.

Salix discolor Muhl. Forming small thickets, center of island in area #2. Identified by David Fairbrothers.

Myrica pensylvanica Loisel. Very common in thickets, area #1. Also present in areas #2 and #3.

Polygonum pensylvanicum L. In swale, bordering brackish water ponds, area #1.

Polygonum punctatum Ell. var. *leptostachyum* (Meisn.) Small. Fairly common in swale bordering brackish ponds, area #1. Also bordering fresh-water ponds, center of island in area #2.

Rumex acetosella L. Beach in area #1. Path in thickets in area #3.

Rumex crispus L. Wet area back of dunes bordering brackish ponds in area #1.

Rumex maritimus L. var. *fueginus* (Phil.) Dusen. Small plants growing in belt around brackish pond, just above water level, area #1.

Atriplex arenaria Nutt. Beach vegetation, areas #1 and #3. Flowers and seeds.

Atriplex patula L. var. *hastata* (L.) Gray. Dominant in beach vegetation, area #1.

Salicornia bigelovii Torr. Bare areas in salt marsh, area #3.

Salicornia europaea L. Salt marsh. "Pannes" and in *S. patens* zone, area #3.

Salicornia virginica L. Salt marsh. "Pannes" and in *S. patens* zone, area #3.

Suaeda maritima (L.) Dumort. Edge of salt marsh, area #3.

Salsola kali L. Dominant on beach, area #1.

- Phytolacca americana* L. Around Monomoy Light Tower, area #2.
- Arenaria peploides* L. var. *robusta* Fern. Beach on ocean side, area #3.
- Dianthus armeria* L. In thickets of bayberry, between fresh-water marsh and dunes, area #1.
- Spergularia marina* (L.) Grisch. In sand at edge of brackish ponds in area #1. Bare area in salt marsh, area #3.
- Nymphaea odorata* Ait. In fresh-water ponds (artificial), area #2.
- Cakile edentula* (Bigel.) Hook. Beach, area #1.
- Lepidium virginicum* L. Along edge of brackish ponds, higher ground at edge of bayberry thickets, area #1.
- Drosera rotundifolia* L. Sphagnum-cranberry bogs between dunes. Area #2.
- Amelanchier laevis* Wieg. Common in thickets in center of island. Areas #2 and #3.
- Potentilla egedei* Wormsk. var. *groenlandica* (Tratt.) Polunin. Fairly common in *Juncus gerardi* zone of salt marsh, area #3.
- Prunus maritima* Marsh. A common component of thickets in center of the island and around fresh-water and brackish water ponds. Areas #1, #2, and #3.
- Prunus persica* (L.) Batsch. In a hedge, along side abandoned house at lighthouse, area #2.
- Prunus serotina* Ehrh. Part of dune thickets, center of island. Areas #2 and #3.
- Pyrus arbutifolia* (L.) L.f. Thickets in center of island and around fresh-water marsh. Areas #2 and #3.
- Rosa carolina* L. Thickets along road in dunes, area #3.
- Rosa nitida* Willd. Roadside and dune, area #3.
- Rosa rugosa* Thunb. Dunes and thickets. Areas #1 and #2.
- Rubus hispidus* L. Trailing in path through thickets around fresh-water marsh.
- Rubus idaeus* L. var. *strigosus* (Michx.) Maxim. Thickets along roadsides and dunes. With *Rhus radicans*. Fruits. Area #3.

- Spiraea tomentosa* L. Edge of sphagnum-cranberry bog. Area #2.
- Lathyrus japonicus* Willd. Part of beach vegetation and frontal dunes. Very common. Areas #1, #2, & #3.
- Euphorbia polygonifolia* L. Plants on beach, smaller ones in dunes. Area #1.
- Rhus radicans* L. Very common. In thickets, back of dunes. Areas #1, #2, and #3.
- Ilex verticillata* (L.) Gray. Thickets, tops of dunes in center of island, area #3.
- Hypericum boreale* (Britt.) Bickn. Dry area between fresh-water marsh and dunes, area #1.
- Hypericum virginicum* L. Wet area between dunes, area #2. Fresh-water marsh at Inward Point, area #3.
- Hudsonia tomentosa* Nutt. Very common on secondary dunes. All areas.
- Lechea maritima* Leggett. Scattered over dunes in area #3.
- Viola lanceolata* L. Sphagnum-cranberry bog in hollow of dunes. Area #2.
- Ludwigia palustris* (L.) Ell. var. *americana* (DC) Fern. & Griseb. Very abundant in fresh-water marsh, area #1.
- Daucus carota* L. Weedy area around old lighthouse station, area #2.
- Ptilimnium capillaceum* (Michx.) Raf. Wet areas near brackish and fresh-water marshes and ponds, areas #1 and #2.
- Lyonia ligustrina* (L.) DC. Part of thickets around fresh-water marsh, area #3.
- Vaccinium angustifolium* Ait. var. *nigrum* (Wood) Dole. Thickets on dune top, center of island, area #3.
- Vaccinium corymbosum* L. Thickets around fresh-water marsh. Fruit abundant 1965, none in 1966 and 1967, area #3.
- Vaccinium macrocarpon* Ait. Small plant in wet swale in area #1. Abundant in several bogs in hollow of dunes, area #2.
- Trientalis borealis* Raf. Sandy soil, in path and under thickets around fresh-water marsh. Area #3.

- Limonium carolinianum* (Walt.) Britton. Bare areas and in *Spartina patens* zone of salt marsh. Area #3.
- Lycopus americanus* L. Wet area around brackish ponds. Area #1.
- Scutellaria epilobiifolia* Hamilton. Common around edges of artificial fresh-water ponds. Area #2.
- Teucrium canadense* L. Common around artificial fresh-water ponds. Area #2.
- Linaria canadensis* (L.) Dumont. Sandy soil on dunes. Flowering over and seed formed. Area #3.
- Linaria vulgaris* Hill. Depression in dunes near west shore. Not blooming. Area #3.
- Verbascum thapsus* L. Edge of a depression near fresh-water ponds. Area #1.
- Plantago oliganthos* R. & S. Bare area in salt marsh. Area #3.
- Galium palustre* L. Wet area near brackish ponds. Very common. Area #1.
- Viburnum dentatum* L. Thickets around fresh-water marsh. Area #3.
- Achillea millefolium* L. Weedy area around old lighthouse, area #2.
- Artemisia caudata* Michx. Common on dunes. Better developed in center of island. Areas #1 and #2.
- Artemisia stelleriana* Bess. Beach vegetation. Area #1.
- Aster* sp. Near old lighthouse. Area #2.
- Baccharis halimifolia* L. Low dunes and high part of salt marsh. Area #3.
- Chrysopsis falcata* (Pursh.) Ell. Very common on dunes in all areas. In 1965 attacked and defoliated by caterpillars.
- Cirsium vulgare* (Savi) Tenore. Edge of bayberry thickets near brackish ponds, area #1.
- Erichtites hieraceifolia* (L.) Raf. Weedy area around old lighthouse. Wet area. Area #2.
- Gnaphalium obtusifolium* L. Between dunes and brackish ponds. Area #1.

- Pluchea purpurascens* (Sw.) DC. var. *succulenta* Fern.
Swale at border of brackish water ponds in *Typha*
marsh, area #1.
- Solidago sempervirens* L. Beach and dunes. Areas #1, #2,
and #3.
- Solidago tenuifolia* Pursh. Between dunes and near fresh-
water ponds, area #2. Between dunes and salt marsh,
area #3.
- Sonchus asper* (L.) Hill. Edge of pond and thickets. Area
#1.
- Xanthium echinatum* Murr. Beach and dunes. Areas #2
and #3.

LITERATURE CITED

- FERNALD, M. L. 1950. Gray's Manual of Botany. Amer. Book Co.,
New York.
- FOGG, JOHN M., JR. 1930. The Flora of the Elizabeth Islands,
Mass. *Rhodora* 32: 119-132; 147-161; 167-180; 208-221; 226-258;
263-281.
- GROUT, A. J. 1940. List of mosses of North America north of
Mexico. *Bryologist* 43: 117-131.
- JORDAN, D. S. 1874. The Flora of Penikese Island. *Amer. Nat.*
VII (4): 193.
- LEWIS, I. F. 1924. Flora of Penikese, Fifty Years After. *Rhodora*
26: 181, 211, 222.
- MOUL, E. T. 1948. Flora of Penikese Island. *Rhodora* 50: 288-304.
- . 1961. Notes on the Flora of Penikese Island, Mass.,
Rhodora 63: 149-150.

DEPARTMENT OF BOTANY.

RUTGERS — THE STATE UNIVERSITY

NEW BRUNSWICK, NEW JERSEY. 08903



Public Law 87-714
87th Congress, H. R. 1171
September 28, 1962

An Act

76 STAT. 653.

To assure continued fish and wildlife benefits from the national fish and wildlife conservation areas by authorizing their appropriate incidental or secondary use for public recreation to the extent that such use is compatible with the primary purposes of such areas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of mounting public demands for recreational opportunities on national wildlife refuges, game ranges, national fish hatcheries, and other conservation areas administered by the Secretary of the Interior for fish and wildlife purposes; and in recognition also of the resulting imperative need, if such recreational opportunities are provided, to assure that any present or future recreational use will be compatible with, and will not prevent accomplishment of, the primary purposes for which the said conservation areas were acquired or established, the Secretary of the Interior is authorized, as an appropriate incidental or secondary use, to administer such areas or parts thereof for public recreation when in his judgment public recreation can be an appropriate incidental or secondary use: *Provided*, That such public recreation use shall be permitted only to the extent that is practicable and not inconsistent with other previously authorized Federal operations or with the primary objectives for which each particular area is established: *Provided further*, That in order to insure accomplishment of such primary objectives, the Secretary, after consideration of all authorized uses, purposes, and other pertinent factors relating to individual areas, shall curtail public recreation use generally or certain types of public recreation use within individual areas or in portions thereof whenever he considers such action to be necessary: *And provided further*, That none of the aforesaid refuges, hatcheries, game ranges, and other conservation areas shall be used during any fiscal year for those forms of recreation that are not directly related to the primary purposes and functions of the individual areas until the Secretary shall have determined—

Interior Dept.
National fish
and wildlife
areas, public
recreational use.

(a) that such recreational use will not interfere with the primary purposes for which the areas were established, and

(b) that funds are available for the development, operation, and maintenance of these permitted forms of recreation. This section shall not be construed to repeal or amend previous enactments relating to particular areas.

SEC. 2. In order to avoid adverse effects upon fish and wildlife populations and management operations of the said areas that might otherwise result from public recreation or visitation to such areas, the Secretary is authorized to acquire limited areas of land for recreational development adjacent to the said conservation areas in existence or approved by the Migratory Bird Conservation Commission as of the date of enactment of this Act: *Provided*, That the acquisition of any land or interest therein pursuant to this section shall be accomplished only with such funds as may be appropriated therefor by the Congress or donated for such purposes, but such property shall not be acquired with funds obtained from the sale of Federal migratory bird hunting stamps. Lands acquired pursuant to this section shall become a part of the particular conservation area to which they are adjacent.

Land acquisition.

SEC. 3. In furtherance of the purposes of this Act, the Secretary is authorized to cooperate with public and private agencies, organizations, and individuals, and he may accept and use, without further

Acceptance of
funds, etc.

authorization, donations of funds and real and personal property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors when such covenants are deemed by the Secretary to be compatible with the purposes of the wildlife refuges, games ranges, fish hatcheries, and other fish and wildlife conservation areas.

SEC. 4. The Secretary may establish reasonable charges and fees and issue permits for public use of national wildlife refuges, game ranges, national fish hatcheries, and other conservation areas administered by the Department of the Interior for fish and wildlife purposes. The Secretary may issue regulations to carry out the purposes of this Act. A violation of such regulations shall be a petty offense (18 U.S.C. 1) with maximum penalties of imprisonment for not more than six months, or a fine of not more than \$500, or both.

SEC. 5. There is authorized to be appropriated such funds as may be necessary to carry out the purposes of this Act, including the construction and maintenance of public recreational facilities.

Approved September 28, 1962.

Regulations.

Penalties.

62 Stat. 684.

Appropriation.



Public Law 88-578
88th Congress, H. R. 3846
September 3, 1964

An Act

78 STAT. 897.

To establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Land and Water
Conservation Fund
Act of 1965.

TITLE I—LAND AND WATER CONSERVATION PROVISIONS

SHORT TITLE AND STATEMENT OF PURPOSES

SECTION 1. (a) CITATION; EFFECTIVE DATE.—This Act may be cited as the “Land and Water Conservation Fund Act of 1965” and shall become effective on January 1, 1965.

(b) PURPOSES.—The purposes of this Act are to assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations and visitors who are lawfully present within the boundaries of the United States of America such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States by (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for the Federal acquisition and development of certain lands and other areas.

CERTAIN REVENUES PLACED IN SEPARATE FUND

SEC. 2. SEPARATE FUND.—During the period ending June 30, 1989, and during such additional period as may be required to repay any advances made pursuant to section 4(b) of this Act, there shall be covered into the land and water conservation fund in the Treasury of the United States, which fund is hereby established and is hereinafter referred to as the “fund”, the following revenues and collections:

(a) ENTRANCE AND USER FEES; ESTABLISHMENT; REGULATIONS.—All proceeds from entrance, admission, and other recreation user fees or charges collected or received by the National Park Service, the Bureau of Land Management, the Bureau of Sport Fisheries and Wildlife, the Bureau of Reclamation, the Forest Service, the Corps of Engineers, the Tennessee Valley Authority, and the United States section of the International Boundary and Water Commission (United States and Mexico), notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury: *Provided*, That nothing in this Act shall affect any rights or authority of the States with respect to fish and wildlife, nor shall this Act repeal any provision of law that permits States or political subdivisions to share in the revenues from Federal lands or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by that provision of law; but the proceeds from fees or charges established by the President pursuant to this subsection for entrance or admission generally to Federal areas shall be used solely for the purposes of this Act.

The President is authorized, to the extent and within the limits hereinafter set forth, to designate or provide for the designation of land or water areas administered by or under the authority of the

Federal agencies listed in the preceding paragraph at which entrance, admission, and other forms of recreation user fees shall be charged and to establish and revise or provide for the establishment and revision of such fees as follows:

Fees.

(i) An annual fee of not more than \$7 payable by a person entering an area so designated by private noncommercial automobile which, if paid, shall excuse the person paying the same and anyone who accompanies him in such automobile from payment of any other fee for admission to that area and other areas administered by or under the authority of such agencies, except areas which are designated by the President as not being within the coverage of the fee, during the year for which the fee has been paid.

(ii) Fees for a single visit or a series of visits during a specified period of less than a year to an area so designated payable by persons who choose not to pay an annual fee under clause (i) of this paragraph or who enter such an area by means other than private noncommercial automobile.

(iii) Fees payable for admission to areas not within the coverage of a fee paid under clause (i) of this paragraph.

(iv) Fees for the use within an area of sites, facilities, equipment, or services provided by the United States.

Entrance and admission fees may be charged at areas administered primarily for scenic, scientific, historical, cultural, or recreational purposes. No entrance or admission fee shall be charged except at such areas or portions thereof administered by a Federal agency where recreation facilities or services are provided at Federal expense. No fee of any kind shall be charged by a Federal agency under any provision of this Act for use of any waters. All fees established pursuant to this subsection shall be fair and equitable, taking into consideration direct and indirect cost to the Government, benefits to the recipient, public policy or interest served, and other pertinent factors. Nothing contained in this paragraph shall authorize Federal hunting or fishing licenses or fees or charges for commercial or other activities not related to recreation. No such fee shall be charged for travel by private noncommercial vehicle over any national parkway or any road or highway established as a part of the national Federal-aid system, as defined in section 101, title 23, United States Code, or any road within the National Forest system or a public land area, which, though it is part of a larger area, is commonly used by the public as a means of travel between two places either or both of which are outside the area. No such fee shall be charged any person for travel by private noncommercial vehicle over any road or highway to any land in which such person has any property right if such land is within any such designated area.

72 Stat. 885.

No fees established under clause (ii) or clause (iii) of the second paragraph of this subsection shall become effective with respect to any area which embraces lands more than half of which have heretofore been acquired by contribution from the government of the State in which the area is located until sixty days after the officer of the United States who is charged with responsibility for establishing such fees has advised the Governor of the affected State, or an agency of the State designated by the Governor for this purpose, of his intention so to do, and said officer shall, before finally establishing such fees, give consideration to any recommendation that the Governor or his designee may make with respect thereto within said sixty days and to all obligations, legal or otherwise, that the United States may owe to the State concerned and to its citizens with respect to the area in question. In the Smoky Mountains National Park, unless fees are

charged for entrance into said park on main highways and thoroughfares, fees shall not be charged for entrance on other routes into said park or any part thereof.

There is hereby repealed the third paragraph from the end of the division entitled "National Park Service" of section 1 of the Act of March 7, 1928 (45 Stat. 238) and the second paragraph from the end of the division entitled "National Park Service" of section 1 of the Act of March 4, 1929 (45 Stat. 1602; 16 U.S.C. 14). Section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved December 24, 1944 (16 U.S.C. 460d), as amended by the Flood Control Act of 1962 (76 Stat. 1195) is further amended by deleting ", without charge," in the third sentence from the end thereof. All other provisions of law that prohibit the collection of entrance, admission, or other recreation user fees or charges authorized by this Act or that restrict the expenditure of funds if such fees or charges are collected are hereby also repealed: *Provided*, That no provision of any law or treaty which extends to any person or class of persons a right of free access to the shoreline of any reservoir or other body of water, or to hunting and fishing along or on such shoreline, shall be affected by this repealer.

The heads of departments and agencies are authorized to prescribe rules and regulations for the collection of any entrance, admission, and other recreation user fees or charges established pursuant to this subsection for areas under their administration: *Provided further*, That no free passes shall be issued to any Member of Congress or other government official. Clear notice that a fee or charge has been established shall be posted at each area to which it is applicable. Any violation of any rules or regulations promulgated under this title at an area so posted shall be punishable by a fine of not more than \$100. Any person charged with the violation of such rules and regulations may be tried and sentenced by any United States commissioner specially designated for that purpose by the court by which he was appointed, in the same manner and subject to the same conditions as provided for in title 18, United States Code, section 3401, subsections (b), (c), (d), and (e), as amended.

(b) **SURPLUS PROPERTY SALES.**—All proceeds (except so much thereof as may be otherwise obligated, credited, or paid under authority of those provisions of law set forth in section 485(b)–(e), title 40, United States Code, or the Independent Offices Appropriation Act, 1963 (76 Stat. 725) or in any later appropriation Act) hereafter received from any disposal of surplus real property and related personal property under the Federal Property and Administrative Services Act of 1949, as amended, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury. Nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus property to schools, hospitals, and States and their political subdivisions.

(c) **MOTORBOAT FUELS TAX.**—The amounts provided for in section 201 of this Act.

SEC. 3. APPROPRIATIONS.—Moneys covered into the fund shall be available for expenditure for the purposes of this Act only when appropriated therefor. Such appropriations may be made without fiscal-year limitation. Moneys covered into this fund not subsequently authorized by the Congress for expenditures within two fiscal years following the fiscal year in which such moneys had been credited to the fund, shall be transferred to miscellaneous receipts of the Treasury.

Repeals.

Collection of fees.

Penalty.

62 Stat. 830.

63 Stat. 388;
68 Stat. 1051.

40 USC 471 note.

ALLOCATION OF LAND AND WATER CONSERVATION FUND FOR STATE AND
FEDERAL PURPOSES: AUTHORIZATION FOR ADVANCE APPROPRIATIONS

SEC. 4. (a) ALLOCATION.—There shall be submitted with the annual budget of the United States a comprehensive statement of estimated requirements during the ensuing fiscal year for appropriations from the fund. In the absence of a provision to the contrary in the Act making an appropriation from the fund, (i) the appropriation therein made shall be available in the ratio of 60 per centum for State purposes and 40 per centum for Federal purposes, but (ii) the President may, during the first five years in which appropriations are made from the fund, vary said percentages by not more than 15 points either way to meet, as nearly as may be, the current relative needs of the States and the Federal Government.

(b) ADVANCE APPROPRIATIONS; REPAYMENT.—Beginning with the third full fiscal year in which the fund is in operation, and for a total of eight years, advance appropriations are hereby authorized to be made to the fund from any moneys in the Treasury not otherwise appropriated in such amounts as to average not more than \$60,000,000 for each fiscal year. Such advance appropriations shall be available for Federal and State purposes in the same manner and proportions as other moneys appropriated from the fund. Such advance appropriations shall be repaid without interest, beginning at the end of the next fiscal year after the first ten full fiscal years in which the fund has been in operation, by transferring, annually until fully repaid, to the general fund of the Treasury 50 per centum of the revenues received by the land and water conservation fund each year under section 2 of this Act prior to July 1, 1989, and 100 per centum of any revenues thereafter received by the fund. Revenues received from the sources specified in section 2 of this Act after July 1, 1989, or after payment has been completed as provided by this subsection, whichever occurs later, shall be credited to miscellaneous receipts of the Treasury. The moneys in the fund that are not required for repayment purposes may continue to be appropriated and allocated in accordance with the procedures prescribed by this Act.

FINANCIAL ASSISTANCE TO STATES

SEC. 5. GENERAL AUTHORITY; PURPOSES.—(a) The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to provide financial assistance to the States from moneys available for State purposes. Payments may be made to the States by the Secretary as hereafter provided, subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this Act, for outdoor recreation: (1) planning, (2) acquisition of land, waters, or interests in land or waters, or (3) development.

(b) APPORTIONMENT AMONG STATES; NOTIFICATION.—Sums appropriated and available for State purposes for each fiscal year shall be apportioned among the several States by the Secretary, whose determination shall be final, in accordance with the following formula:

(1) two-fifths shall be apportioned equally among the several States; and

(2) three-fifths shall be apportioned on the basis of need to individual States by the Secretary in such amounts as in his judgment will best accomplish the purposes of this Act. The determination of need shall include among other things a consideration of the proportion which the population of each State bears to the total population of the United States and of the use of outdoor recreation resources of individual States by persons from outside

the State as well as a consideration of the Federal resources and programs in the particular States.

The total allocation to an individual State under paragraphs (1) and (2) of this subsection shall not exceed 7 per centum of the total amount allocated to the several States in any one year.

The Secretary shall notify each State of its apportionments; and the amounts thereof shall be available thereafter for payment to such State for planning, acquisition, or development projects as hereafter prescribed. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given and for two fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (2) of this subsection.

The District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa shall be treated as States for the purposes of this title, except for the purpose of paragraph (1) of this subsection. Their population also shall be included as a part of the total population in computing the apportionment under paragraph (2) of this subsection.

(c) **MATCHING REQUIREMENTS.**—Payments to any State shall cover not more than 50 per centum of the cost of planning, acquisition, or development projects that are undertaken by the State. The remaining share of the cost shall be borne by the State in a manner and with such funds or services as shall be satisfactory to the Secretary. No payment may be made to any State for or on account of any cost or obligation incurred or any service rendered prior to the date of approval of this Act.

(d) **COMPREHENSIVE STATE PLAN REQUIRED; PLANNING PROJECTS.**—A comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects. The plan shall be adequate if, in the judgment of the Secretary, it encompasses and will promote the purposes of this Act. The plan shall contain—

(1) the name of the State agency that will have authority to represent and act for the State in dealing with the Secretary for purposes of this Act;

(2) an evaluation of the demand for and supply of outdoor recreation resources and facilities in the State;

(3) a program for the implementation of the plan; and

(4) other necessary information, as may be determined by the Secretary.

The plan shall take into account relevant Federal resources and programs and shall be correlated so far as practicable with other State, regional, and local plans. Where there exists or is in preparation for any particular State a comprehensive plan financed in part with funds supplied by the Housing and Home Finance Agency, any statewide outdoor recreation plan prepared for purposes of this Act shall be based upon the same population, growth, and other pertinent factors as are used in formulating the Housing and Home Finance Agency financed plans.

The Secretary may provide financial assistance to any State for projects for the preparation of a comprehensive statewide outdoor recreation plan when such plan is not otherwise available or for the maintenance of such plan.

(e) **PROJECTS FOR LAND AND WATER ACQUISITION; DEVELOPMENT.**—In addition to assistance for planning projects, the Secretary may provide financial assistance to any State for the following types of

projects or combinations thereof if they are in accordance with the State comprehensive plan:

(1) ACQUISITION OF LAND AND WATERS.—For the acquisition of land, waters, or interests in land or waters (other than land, waters, or interests in land or waters acquired from the United States for less than fair market value), but not including incidental costs relating to acquisition.

(2) DEVELOPMENT.—For development, including but not limited to site planning and the development of Federal lands under lease to States for terms of twenty-five years or more.

(f) REQUIREMENTS FOR PROJECT APPROVAL; CONDITION.—Payments may be made to States by the Secretary only for those planning, acquisition, or development projects that are approved by him. No payment may be made by the Secretary for or on account of any project with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance may be given under any other Federal program or activity for or on account of any project with respect to which such assistance has been given or promised under this Act. The Secretary may make payments from time to time in keeping with the rate of progress toward the satisfactory completion of individual projects: *Provided*, That the approval of all projects and all payments, or any commitments relating thereto, shall be withheld until the Secretary receives appropriate written assurance from the State that the State has the ability and intention to finance its share of the cost of the particular project, and to operate and maintain by acceptable standards, at State expense, the particular properties or facilities acquired or developed for public outdoor recreation use.

Payments for all projects shall be made by the Secretary to the Governor of the State or to a State official or agency designated by the Governor or by State law having authority and responsibility to accept and to administer funds paid hereunder for approved projects. If consistent with an approved project, funds may be transferred by the State to a political subdivision or other appropriate public agency.

No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

No payment shall be made to any State until the State has agreed to (1) provide such reports to the Secretary, in such form and containing such information, as may be reasonably necessary to enable the Secretary to perform his duties under this Act, and (2) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for Federal funds paid to the State under this Act.

Each recipient of assistance under this Act shall keep such records as the Secretary of the Interior shall prescribe, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

The Secretary of the Interior, and the Comptroller General of the United States, or any of their duly authorized representatives, shall

have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this Act.

(g) COORDINATION WITH FEDERAL AGENCIES.—In order to assure consistency in policies and actions under this Act, with other related Federal programs and activities (including those conducted pursuant to title VII of the Housing Act of 1961 and section 701 of the Housing Act of 1954) and to assure coordination of the planning, acquisition, and development assistance to States under this section with other related Federal programs and activities, the President may issue such regulations with respect thereto as he deems desirable and such assistance may be provided only in accordance with such regulations.

75 Stat. 183.
42 USC 1500-
1500e.
73 Stat. 678;
Ante, pp. 792,
793.
40 USC 461.

ALLOCATION OF MONEYS FOR FEDERAL PURPOSES

SEC. 6. (a) Moneys appropriated from the fund for Federal purposes shall, unless otherwise allotted in the appropriation Act making them available, be allotted by the President to the following purposes and subpurposes in substantially the same proportion as the number of visitor-days in areas and projects hereinafter described for which admission fees are charged under section 2 of this Act:

(1) For the acquisition of land, waters, or interests in land or waters as follows:

NATIONAL PARK SYSTEM; RECREATION AREAS.—Within the exterior boundaries of areas of the national park system now or hereafter authorized or established and of areas now or hereafter authorized to be administered by the Secretary of the Interior for outdoor recreation purposes.

NATIONAL FOREST SYSTEM.—Inholdings within (a) wilderness areas of the National Forest System, and (b) other areas of national forests as the boundaries of those forests exist on the effective date of this Act which other areas are primarily of value for outdoor recreation purposes: *Provided*, That lands outside of but adjacent to an existing national forest boundary, not to exceed five hundred acres in the case of any one forest, which would comprise an integral part of a forest recreational management area may also be acquired with moneys appropriated from this fund: *Provided further*, That not more than 15 per centum of the acreage added to the National Forest System pursuant to this section shall be west of the 100th meridian.

THREATENED SPECIES.—For any national area which may be authorized for the preservation of species of fish or wildlife that are threatened with extinction.

RECREATION AT REFUGES.—For the incidental recreation purposes of section 2 of the Act of September 28, 1962 (76 Stat. 653; 16 U.S.C. 460 k-1); and

(2) For payment into miscellaneous receipts of the Treasury as a partial offset for those capital costs, if any, of Federal water development projects hereafter authorized to be constructed by or pursuant to an Act of Congress which are allocated to public recreation and the enhancement of fish and wildlife values and financed through appropriations to water resource agencies.

(b) ACQUISITION RESTRICTION.—Appropriations from the fund pursuant to this section shall not be used for acquisition unless such acquisition is otherwise authorized by law.

FUNDS NOT TO BE USED FOR PUBLICITY

SEC. 7. Moneys derived from the sources listed in section 2 of this Act shall not be available for publicity purposes.

TITLE II—MOTORBOAT FUEL TAX PROVISIONS

TRANSFERS TO AND FROM LAND AND WATER CONSERVATION FUND

Infra.

SEC. 201. (a) There shall be set aside in the land and water conservation fund in the Treasury of the United States provided for in title I of this Act the amounts specified in section 209(f)(5) of the Highway Revenue Act of 1956 (relating to special motor fuels and gasoline used in motorboats).

(b) There shall be paid from time to time from the land and water conservation fund into the general fund of the Treasury amounts estimated by the Secretary of the Treasury as equivalent to—

70 Stat. 394.
26 USC 6421.

(1) the amounts paid before July 1, 1973, under section 6421 of the Internal Revenue Code of 1954 (relating to amounts paid in respect of gasoline used for certain nonhighway purposes or by local transit systems) with respect to gasoline used after December 31, 1964, in motorboats, on the basis of claims filed for periods ending before October 1, 1972; and

70 Stat. 393.
26 USC 6412.

(2) 80 percent of the floor stocks refunds made before July 1, 1973, under section 6412(a)(2) of such Code with respect to gasoline to be used in motorboats.

AMENDMENTS TO HIGHWAY REVENUE ACT OF 1956

70 Stat. 397.
23 USC 120 note.

SEC. 202. (a) Section 209(f) of the Highway Revenue Act of 1956 (relating to expenditures from highway trust fund) is amended by adding at the end thereof the following new paragraph:

“(5) TRANSFERS FROM THE TRUST FUND FOR SPECIAL MOTOR FUELS AND GASOLINE USED IN MOTORBOATS.—The Secretary of the Treasury shall pay from time to time from the trust fund into the land and water conservation fund provided for in title I of the Land and Water Conservation Fund Act of 1965 amounts as determined by him in consultation with the Secretary of Commerce equivalent to the taxes received, on or after January 1, 1965, under section 4041(b) of the Internal Revenue Code of 1954 with respect to special motor fuels used as fuel for the propulsion of motorboats and under section 4081 of such Code with respect to gasoline used as fuel in motorboats.”

68A Stat. 478;
70 Stat. 387.
26 USC 4041.
70 Stat. 389.
26 USC 4081.

(b) Section 209(f) of such Act is further amended—

(1) by adding at the end of paragraph (3) the following new sentence: “This paragraph shall not apply to amounts estimated by the Secretary of the Treasury as paid under section 6421 of such Code with respect to gasoline used after December 31, 1964, in motorboats.”; and

(2) by inserting after “such Code” in paragraph (4)(C) the following: “(other than gasoline to be used in motorboats, as estimated by the Secretary of the Treasury)”.

Approved September 3, 1964.

(over)

September 3, 1964 - 9 -

Pub. Law 88-578

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 900 (Comm. on Interior & Insular Affairs) and No.
1847 (Comm. of Conference).

SENATE REPORT No. 1364 (Comm. on Interior & Insular Affairs).

CONGRESSIONAL RECORD, Vol. 110 (1964):

July 22: Considered in House.

July 23: Considered and passed House.

Aug. 12: Considered and passed Senate, amended.

Sept. 1: House and Senate agreed to conference report.

No 7. 3



Public Law 88-577
88th Congress, S. 4
September 3, 1964

An Act

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Wilderness Act.

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

SEC. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

78 STAT. 890.

78 STAT. 891.

DEFINITION OF WILDERNESS

(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geo-

logical, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas within the national forests classified at least 30 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

Classification.

Presidential
recommendation
to Congress.

Congressional
approval.

78 STAT. 891.
78 STAT. 892.

(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or nonsuitability for preservation as wilderness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as "primitive" within three years after the enactment of this Act, not less than two-thirds within seven years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as "wilderness" shall become effective only if so provided by an Act of Congress. Areas classified as "primitive" on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise. Any such area may be increased in size by the President at the time he submits his recommendations to the Congress by not more than five thousand acres with no more than one thousand two hundred and eighty acres of such increase in any one compact unit; if it is proposed to increase the size of any such area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit the increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value. Notwithstanding any other provisions of this Act, the Secretary of Agriculture may complete his review and delete such area as may be necessary, but not to exceed seven thousand acres, from the southern tip of the Gore Range-Eagles Nest Primitive Area,

Colorado, if the Secretary determines that such action is in the public interest.

(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review every roadless area of five thousand contiguous acres or more in the national parks, monuments and other units of the national park system and every such area of, and every roadless island within, the national wildlife refuges and game ranges, under his jurisdiction on the effective date of this Act and shall report to the President his recommendation as to the suitability or unsuitability of each such area or island for preservation as wilderness. The President shall advise the President of the Senate and the Speaker of the House of Representatives of his recommendation with respect to the designation as wilderness of each such area or island on which review has been completed, together with a map thereof and a definition of its boundaries. Such advice shall be given with respect to not less than one-third of the areas and islands to be reviewed under this subsection within three years after enactment of this Act, not less than two-thirds within seven years of enactment of this Act, and the remainder within ten years of enactment of this Act. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be construed to lessen the present statutory authority of the Secretary of the Interior with respect to the maintenance of roadless areas within units of the national park system.

Report to
President.

Presidential
recommendation
to Congress.

Congressional
approval.

(d)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

Suitability.

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

Publication in
Federal Register.

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

Hearings.

Publication in
Federal Register.

78 STAT. 892.

78 STAT. 893.

(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (d) of this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recom-

Proposed modi-
fication.

mendations shall become effective only in the same manner as provided for in subsections (b) and (c) of this section.

USE OF WILDERNESS AREAS

SEC. 4. (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thyre-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thyre-Blatnik-Andresen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1983, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as "wilderness areas"; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: *Provided*, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1983, except for the valid claims existing on or before December 31, 1983. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the

Mineral leases,
claims, etc.

78 STAT. 894.

78 STAT. 895.

provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1984, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

Water resources.

(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

(5) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

(6) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(7) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

78 STAT. 895.

78 STAT. 896.

(8) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

SEC. 5. (a) In any case where State-owned or privately owned land is completely surrounded by national forest lands within areas designated by this Act as wilderness, such State or private owner shall be given such rights as may be necessary to assure adequate access to such State-owned or privately owned land by such State or private owner and their successors in interest, or the State-owned land or privately owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of Agriculture: *Provided, however*, That the United States shall not transfer to a State or private owner any mineral interests unless the State or private owner relinquishes or

Transfers, restriction.

September 3, 1964

- 7 -

Pub. Law 88-577

78 STAT. 896.

causes to be relinquished to the United States the mineral interest in the surrounded land.

(b) In any case where valid mining claims or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture is authorized to acquire privately owned land within the perimeter of any area designated by this Act as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress.

Acquisition.

GIFTS, BEQUESTS, AND CONTRIBUTIONS

SEC. 6. (a) The Secretary of Agriculture may accept gifts or bequests of land within wilderness areas designated by this Act for preservation as wilderness. The Secretary of Agriculture may also accept gifts or bequests of land adjacent to wilderness areas designated by this Act for preservation as wilderness if he has given sixty days advance notice thereof to the President of the Senate and the Speaker of the House of Representatives. Land accepted by the Secretary of Agriculture under this section shall become part of the wilderness area involved. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

(b) The Secretary of Agriculture or the Secretary of the Interior is authorized to accept private contributions and gifts to be used to further the purposes of this Act.

ANNUAL REPORTS

SEC. 7. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

Approved September 3, 1964.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 1538 accompanying H. R. 9070 (Comm. on Interior & Insular Affairs) and No. 1829 (Comm. of Conference).

SENATE REPORT No. 109 (Comm. on Interior & Insular Affairs).

CONGRESSIONAL RECORD:

Vol. 109 (1963): Apr. 4, 8, considered in Senate.

Apr. 9, considered and passed Senate.

Vol. 110 (1964): July 28, considered in House.

July 30, considered and passed House, amended, in lieu of H. R. 9070.

Aug. 20, House and Senate agreed to conference report.

741-2

1107.4,

89TH CONGRESS
1ST SESSION**H. R. 8432**

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 1965

Mr. DINGELL introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

A BILL

To amend the Migratory Bird Conservation Act with respect to the disposal of land and interests in land acquired pursuant to such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 2 of the Migratory Bird Conservation Act (16
4 U.S.C. 715a) is amended by inserting “(a)” after “SEC. 2.”
5 and by inserting at the end of such section a new subsection
6 as follows:

7 “(b) Any land or interest in land approved for acquisi-
8 tion or use by the Commission pursuant to this Act shall not ←
9 be sold, terminated, transferred for any other use, or other-
10 wise disposed of without the approval of the Commission.”

89TH CONGRESS
1ST SESSION

H. R. 8432

A BILL

To amend the Migratory Bird Conservation Act with respect to the disposal of land and interests in land acquired pursuant to such Act.

By Mr. DINGELL

MAY 25, 1965

Referred to the Committee on Merchant Marine and Fisheries

89TH CONGRESS
1ST SESSION

MO 7.5

H. R. 8807

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 1965

Mr. DINGELL introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

A BILL

To amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 2 of the Migratory Bird Conservation Act
4 (16 U.S.C. 715a) is amended by inserting "(a)" immedi-
5 ately after "SEC. 2." and by inserting at the end of such
6 section the following new subsection:

7 “(b) (1) No land located within any wildlife refuge,
8 wildlife range, game range, wildlife management area, or

1 waterfowl production area, administered by the Secretary
2 of the Interior through the Fish and Wildlife Service, De-
3 partment of the Interior, shall be sold, transferred for any
4 other use, or otherwise disposed of—

5 “(A) without the approval of the Commission,
6 and

7 “(B) without the payment by the Secretary of the
8 Interior to the migratory conservation fund (established
9 under section 4 of the Act of March 16, 1934 (16
10 U.S.C. 718d)) of the fair market value of such land.

11 “(2) Except for a road constructed for the sole purpose
12 of maintaining and protecting any such refuge, range, or
13 area, no road shall be constructed within any such refuge,
14 range, or area—

15 “(A) without the approval of the Commission, and

16 “(B) without the payment by the Secretary of the
17 Interior to such migratory bird conservation fund of the
18 fair market value of the right-of-way.

19 “(3) Any funds transferred to such migratory bird
20 conservation fund under paragraphs (1) and (2) of this
21 subsection shall be used exclusively for the acquisition of
22 areas for migratory bird refuges.”

89TH CONGRESS
1ST Session

H. R. 8807

A BILL

To amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission, and for other purposes.

By Mr. DINGELL

JUNE 7, 1965

Referred to the Committee on Merchant Marine and Fisheries

90TH CONGRESS
2D SESSION

NO 7. 6.
H. R. 16996

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 1968

Mr. KEITH (for himself, Mr. McCORMACK, Mr. PHILBIN, Mr. DONOHUE, Mr. BATES, Mr. BOLAND, Mr. O'NEILL of Massachusetts, Mr. MACDONALD of Massachusetts, Mr. BURKE of Massachusetts, Mr. CONTE, Mr. MORSE, and Mrs. HECKLER of Massachusetts) introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Massachusetts, as wilderness.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, in accordance with section 3 (c) of the Wilderness
4 Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C.
5 1132 (c)), certain lands in the Monomoy National Wildlife
6 Refuge, Massachusetts, which comprise about two thousand
7 six hundred acres and which are depicted on a map entitled
8 “Monomoy Wilderness—Proposed” and dated August 1967,
9 are hereby designated as wilderness. The map shall be on

1 file and available for public inspection in the offices of the
2 Bureau of Sport Fisheries and Wildlife, Department of the
3 Interior.

4 SEC. 2. The area designated by this Act as wilderness
5 shall be known as the Monomoy Wilderness and shall be
6 administered by the Secretary of the Interior in accordance
7 with the applicable provisions of the Wilderness Act.

8 SEC. 3. Except as necessary to meet minimum require-
9 ments in connection with the purposes for which the area
10 is administered (including measures required in emergencies
11 involving the health and safety of persons within the area),
12 there shall be no commercial enterprise, no temporary or
13 permanent roads, no use of motor vehicles, motorized equip-
14 ment or motorboats, no landing of aircraft, no other form
15 of motorized transport, and no structure or installation within
16 the area designated as wilderness by this Act.

*Keep
will delete*

90TH CONGRESS
2D SESSION

H. R. 16996

A BILL

To designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Massachusetts, as wilderness.

By Mr. KERR, Mr. McCORMACK, Mr. PHILLIPS,
Mr. DONOHUE, Mr. BATES, Mr. BOLAND, Mr.
O'NEIL, of Massachusetts, Mr. MACDONALD
of Massachusetts, Mr. BURKE of Massachu-
setts, Mr. COFFE, Mr. MORSE, and Mrs.
HECKLER of Massachusetts

MAY 2, 1968

Referred to the Committee on Interior and Insular
Affairs

121 Henry
not return
call McFarlan at House
Return Comm.
90TH CONGRESS
2D SESSION

H. R. 16996

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 1968

Mr. KEITH (for himself, Mr. McCORMACK, Mr. PHILBIN, Mr. DONOHUE, Mr. BATES, Mr. BOLAND, Mr. O'NEILL of Massachusetts, Mr. MACDONALD of Massachusetts, Mr. BURKE of Massachusetts, Mr. CONTE, Mr. MORSE, and Mrs. HECKLER of Massachusetts) introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Massachusetts, as wilderness.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, in accordance with section 3 (c) of the Wilderness
4 Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C.
5 1132 (c)), certain lands in the Monomoy National Wildlife
6 Refuge, Massachusetts, which comprise about two thousand
7 six hundred acres and which are depicted on a map entitled
8 "Monomoy Wilderness—Proposed" and dated August 1967,
9 are hereby designated as wilderness. The map shall be on

1 file and available for public inspection in the offices of the
 2 Bureau of Sport Fisheries and Wildlife, Department of the
 3 Interior.

4 SEC. 2. The area designated by this Act as wilderness
 5 shall be known as the Monomoy Wilderness and shall be
 6 administered by the Secretary of the Interior in accordance
 7 with the applicable provisions of the Wilderness Act. 1964

8 SEC. 3. Except as necessary to meet minimum require-
 9 ments in connection with the purposes for which the area
 10 is administered (including measures required in emergencies
 11 involving the health and safety of persons within the area),
 12 there shall be no commercial enterprise, no temporary or
 13 permanent roads, no use of motor vehicles, motorized equip-
 14 ment or motorboats, no landing of aircraft, no other form
 15 of motorized transport, and no structure or installation within
 16 the area designated as wilderness by this Act.

superfluous

*in/denue, ad
 7/1964*

*Keep name per
 will delete
 do delete
 3. (not needed)*

90TH CONGRESS
2d Session

H. R. 16996

A BILL

To designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Massachusetts, as wilderness.

By Mr. KERRY, Mr. McCORMACK, Mr. PHILBIN,
Mr. DONOHUE, Mr. BATES, Mr. BOLAND, Mr.
O'NEIL, of Massachusetts, Mr. MACDONALD
of Massachusetts, Mr. BURKE of Massachu-
setts, Mr. COSTE, Mr. MORSE, and Mrs.
HECKLER of Massachusetts

MAY 2, 1968

Referred to the Committee on Interior and Insular
Affairs

ever just, or whether the U.S. is the real aggressor in Vietnam.

One faculty member, who said that he was a "nuclear pacifist" charged that the U.S. was engaged in indiscriminate bombing, shooting, and raping in Vietnam.

The speaker replied that the U.S. has not deliberately killed a single civilian, but that killing civilians was a deliberate policy of Hanoi. The communists have murdered thousands of civilians in attempting to gain control through terror, he said.

While there is room for disagreement about U.S. policy, Dr. Lefever emphasized his belief that the motives of President Johnson are the best.

FOREIGN POLICY ANALYST TO LECTURE AT DENISON

Dr. Ernest W. Lefever, political analyst on the senior Foreign Policy Studies staff of the Brookings Institution, independent research center in Washington, D.C., will speak on "Vietnam: The Just War" at 7:30 p.m. Wednesday in Slayter Auditorium at Denison University.

His lecture, open to the public without charge, is sponsored by the ad hoc committee for peace in Vietnam at Denison, and will be followed by a panel discussion. Panelists include Dr. Lefever; the Rev. Edward N. Burdick of St. Luke's Episcopal Church; Dr. Louis F. Brakeman, professor of political science; and Dr. Ronald E. Santoni, professor of philosophy.

Dr. Lefever, who supports the administration's policies in Vietnam, was a senior researcher at the Institute for Defense Analyses in 1961-64, was Washington consultant for the Council on Religion and International Affairs in 1958-64, and also was a State Department consultant in 1961-64.

A graduate of Elizabethtown College, he earned his BD and PhD degrees at Yale University. He is the author or editor of six books, including "Ethics and United States Foreign Policy" and "The World Crisis and American Responsibility."

In 1964 he lectured at the Salzburg Seminar in American Studies and in 1965 at the National Defense College of Japan. In 1966 he was visiting professor at the German Development Institute in West Berlin. He has traveled widely in Asia, Europe, and Africa.

Since going to Washington in 1955, he has done research on international studies at Johns Hopkins University, taught at the University of Maryland, headed the Foreign Affairs Division of the Library of Congress, served as foreign relations staff consultant for Robert H. Humphrey, and was associated with the Washington Center of Foreign Policy Research. He has lectured at many universities and is adjunct professor at American University.

DESIGNATION OF PORTION OF MONOMOY ISLAND, BARNSTABLE COUNTY, MASS., AS WILDERNESS

Mr. KEITH asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. KEITH. Mr. Speaker, today I introduced a bill to designate Monomoy Island in Barnstable County, Mass., as wilderness. The entire Massachusetts delegation has joined me in sponsoring this legislation. Also, both Senators from Massachusetts (Mr. Brooke and Mr. Kennedy) introduced identical legislation in the other body. This unanimous and bipartisan support demonstrates the importance of this measure to the entire Commonwealth of Massachusetts and, in fact, New England. I am hopeful this support will convince the Congress that

the Monomoy Island wilderness bill merits prompt action.

Monomoy Island is a 2,600-acre roadless island, extending about 9 miles south from the elbow of Cape Cod, in the town of Chatham, Barnstable County, Mass. It is a barrier beach island bounded on the west by Nantucket Sound and on the east by the Atlantic Ocean; the island varies from one-fourth to 1½ miles in width and is separated from the mainland by a shallow waterway about one-half mile wide. Currently, the area is under the jurisdiction of the Department of the Interior as a national wildlife refuge. The exterior boundaries of the wilderness proposal are all lands on Monomoy Island to the line of mean low tide which coincides with the national wildlife refuge boundary around the island.

The Monomoy National Wildlife Refuge has been managed as a wild area since its establishment; the area is secluded and primeval and offers an exceptional opportunity for perpetual non-motorized use by fishermen, naturalists, families, and weary citizens searching for respite from the stress of modern civilization. No changes in management are envisioned if the island is designated as wilderness. Thus, the laws and regulations which provide for public uses such as hunting and other wildlife oriented forms of outdoor enjoyment will continue to apply.

Mr. Speaker, this legislation will preserve for future generations a unique barrier beach-type of island wilderness, still largely undeveloped and unspoiled by man's activities. Moreover, Monomoy Island is the only area with a wilderness potential within a reasonable 1-day drive from the Boston Cape Cod areas; it will complement the Cape Cod National Seashore by providing a true wild area for those who seek an ideal human retreat and are willing to endure the rigors of a journey to the island.

Mr. Speaker, the congressional support that the Monomoy Island wilderness proposal has received reflects the support of Cape Cod and Massachusetts citizens for the preservation of this unspoiled area. I would like to insert in the Record at this point, a portion of a statement issued by the board of selectmen of the town of Chatham regarding the proposal to designate Monomoy Island as a wilderness area:

Over the years, Congress has legislated the uses of our public lands with the intent to divide portions of them into three categories; Natural, Historical and Recreational. The wisdom of this is apparent—that the whole man, his mind as well as his body, be served—that there be areas for active recreational pursuits, areas for passive enjoyment of scenic features, and areas to inspire an appreciation of our historical heritage. To these categories has now been added the Wilderness areas, through an Act obviously designed to save man from his own folly—that in his headlong pursuit of physical pleasures, he consume all his natural environment, leaving none to nurture and refresh the mind and soul.

Perhaps nowhere in America is so dramatically illustrated the Congressional wisdom of this division of public lands as here on Cape Cod. Beginning at one end of the Cape, Provincetown, and continuing to the southernmost tip of Monomoy, there are 29,000

acres of land and waters within a Federal complex. In about ninety per cent of this public domain, now the Cape Cod National Seashore, recreational uses are provided for. Beach buggy trails have been laid out among the dunes and along the shore front, bathing beaches have been developed, roads and parking areas constructed and appropriate buildings erected. Its southernmost extremity, Nauset Beach, very similar in size and character to Monomoy, and about one mile distant, is devoted entirely to recreational purposes. Here on a typical summer weekend may be found throngs of beach buggies, sportsmen, bathers and other outdoor enthusiasts.

The other ten per cent of this public domain is Monomoy Island, a wildlife refuge. Here, Congress has saved a small portion of the eastern coast of Cape Cod for ideal detachment from "those areas where man and his own works dominate the landscape." Here is a place for mental and spiritual nourishment. Thus, in this little area of our country, Congress has provided for the whole people and the whole man.

A NEW THREAT TO DOMESTIC TRANQUILITY AND PUBLIC DE- CENCY IN AMERICA

(Mr. DON H. CLAUSEN rose and was given permission to extend his remarks at this point in the Record.)

Mr. DON H. CLAUSEN. Mr. Speaker, I wish to take this opportunity today to comment briefly on a matter of major concern to all responsible Americans, and especially to parents.

Whether we choose to admit it or not, I believe forces are at work in this country to undermine and subvert our national fiber, and shatter the traditions that have kept us strong and free these many years. Many Americans, who agree with this deduction are now asking: Just what do the words "sedition," "patriotism," "anarchy," "obscenity," and "pornographic" mean anymore?

Of all the forms this movement has taken, one of the most offensive and obnoxious has been the assault on freedom of speech which we have all seen emerge in recent years. And leading the way in this offensive are the so-called underground newspapers and magazines that are now being sold openly at newsstands and by "hawkers" on our city streets. Using the facade of "modern journalism," these publications feature a neatly woven combination of obscenities and "antisocial hate literature" to tell their story.

In my judgment, these underground publications pose a new and ominous threat to domestic tranquility and public decency in America and the Congress would do well to take heed of the true nature and purpose of such literature and determine, through investigation, if legislation is appropriate to deal with the problem.

The threat of which I speak is particularly significant since, at first glance, such publications appear newsworthy. Their front pages are normally of the type which attempt to reflect the signs of our times—racial strife, the war in Vietnam, social changes, conflicts at home and abroad. But inside, the true message begins to unfold. Stories, interviews, editorials, and advertisements containing vile and obscene language

(3)

90TH CONGRESS
2D SESSION

S. 3425

IN THE SENATE OF THE UNITED STATES

MAY 2, 1968

Mr. BROOKE (for himself and Mr. KENNEDY of Massachusetts) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Massachusetts, as wilderness.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, in accordance with section 3 (c) of the Wilderness Act
4 of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132
5 (c)), certain lands in the Monomoy National Wildlife
6 Refuge, Massachusetts, which comprise about two thousand
7 six hundred acres and which are depicted on a map entitled
8 "Monomoy Wilderness—Proposed" and dated August 1967,
9 are hereby designated as wilderness. The map shall be on file

A BILL

To designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Massachusetts, as wilderness.

By Mr. Brooke and Mr. Kennedy of Massachusetts

MAY 2, 1968

Read twice and referred to the Committee on Interior and Insular Affairs

2. Section 23.10 is revised to read as follows:

§ 23.10 Coast Guard emblem.

(a) The distinctive emblem of the Coast Guard shall be as follows:

On a disc the shield of the Coat of Arms of the United States circumscribed by an annulet edged and inscribed "UNITED STATES COAST GUARD 1790" all in front of two crossed anchors.

(b) The emblem in full color is described as follows:

White anchors and white ring all outlined in medium blue (Coast Guard blue), letters and numerals medium blue (Coast Guard blue), white area within ring, shield with medium blue (Coast Guard blue) chief and 13 alternating white and red (Coast Guard red) stripes (7 white and 6 red) with narrow medium blue (Coast Guard blue) outline.

(c) The Coast Guard emblem is intended primarily for use as identification on Coast Guard ensigns, flags, pennants, vessels, aircraft, vehicles, and shore units. It may also be reproduced for use on such items as stationery, clothing, jewelry, etc.

(d) Civilian firms desiring to reproduce the Coast Guard emblem must obtain approval from the Commandant, U.S. Coast Guard, Washington, D.C.

Dated: April 19, 1967

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 67-4709; Filed, Apr. 27, 1967;
8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Monomoy National Wildlife Refuge, Mass.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 28.28 Special regulations: recreation; for individual wildlife refuge areas.

MASSACHUSETTS

MONOMOY NATIONAL WILDLIFE REFUGE

Entrance by walking on the refuge is permitted for the purpose of birdwatch-

ing, photography, nature study, hiking, swimming, sunbathing, and digging shellfish, during daylight hours; fishing for 24 hours a day. Pets are permitted on a leash not exceeding 10 feet in length. Fires are permitted on the beach.

The refuge, comprising 2,696 acres, is delineated on a map available from the Refuge Manager, Great Meadows National Wildlife Refuge, 31 Sudbury Road, Concord, Mass. 01742, and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1967.

EUGENE E. CRAWFORD,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

APRIL 12, 1967.

[F.R. Doc. 67-4726; Filed, Apr. 27, 1967;
8:49 a.m.]

MO 7. 7

[DISCUSSION DRAFT]

91st Congress
2d Session

Mr. Keith

A B I L L

To create the Cape Cod National Marine Sanctuary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
That the Secretary of the Interior (hereinafter referred to as the "Secretary") is hereby authorized to take appropriate action to establish and maintain the area of the waters of the Atlantic Ocean adjacent to the Cape Cod National Seashore as described in section 2 of this Act, as a marine sanctuary. Such area shall be known as the Cape Cod National Marine Sanctuary and shall be developed and maintained for the enjoyment and benefit of the people of the United States.

Sec. 2. (a) The Cape Cod National Marine Sanctuary established by this Act is described as follows:

Beginning at a point in the Atlantic Ocean 30 miles due west from the mean low-water line of the Atlantic Ocean on Cape Cod at the westernmost extremity of Race Point, Provincetown; thence swinging in a clockwise arc along a line 30 miles offshore and parallel to the mean low-water line of the northerly extremity of Cape Cod to the northernmost point of said arc; thence running in a southeasterly and finally southwesterly direction along a curving line 30 miles offshore and parallel to the mean low-water line of the outer seaward side of Cape Cod to a point 30 miles due south of Monomoy Point (excluding Nantucket Island); thence northerly to Monomoy Point; thence along the mean low-water line of Monomoy Island and Morris Island to the seaward boundary of the Cape Cod National Seashore as described in the Act of August 7, 1961, thence northerly and finally westerly along said seaward boundary of Cape Cod National Seashore to a point on a line running westerly from the mean low-water line at the westernmost extremity of Race Point; thence due west on said line to the point of beginning.

(b) The area described in subsection (a) shall not include the area immediately adjacent to the Cape Cod National Seashore known as the Cape Cod Ocean Sanctuary, a State operated marine sanctuary.

(c) As used in this section the term "miles" means nautical miles.

Sec. 3. Within the Cape Cod National Marine Sanctuary it shall be unlawful--

(1) to drill or mine for any minerals, gases, or oils,

(2) to build any structure on the land, or under the land, beneath the waters,

(3) to remove any sand, gravel, or other minerals except, in the case of sand or gravel, for the protection and restoration of public beaches adjacent to the sanctuary as approved by the Secretary, or

(4) to engage in any other activity which would seriously alter or endanger the ecology or the appearance of the ocean, or of the land beneath the water.

Nothing in this Act shall be construed to prohibit fishing, shellfishing, innocent passage, or other sport and recreational activities in the Cape Cod National Marine Sanctuary so long as such activities are carried on in accordance with sound conservation practices. The Secretary shall take such action as may be necessary or appropriate to enforce this section.

Sec. 4. The Secretary, in the management of the Cape Cod National Marine Sanctuary and in the enforcement of section 3 of this Act, shall consult and work with the appropriate State officials who may have jurisdiction over such sanctuary.

The first part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of the history of the United States is essential for a full understanding of the country and its people. The second part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of the history of the United States is essential for a full understanding of the country and its people.

— Editorial Page —

● *The Need For Mercy On Monomoy*

We would like to plead once more with the U. S. Fish & Wildlife Service for a little mercy.

We do so on behalf of the six local people who own camps out on Monomoy and have been struggling for years to stay there. Fish & Wildlife, which controls the refuge on Monomoy, ruled a number of years ago that the camps must go. There have been several stays of execution since then, but final termination seems to be at hand.

In letters dated January 13 from Fish & Wildlife Regional Director Richard E. Griffith in Boston the six camp owners were notified that their permits had been terminated as of January 15. Because of the weather, they were given until February 15 to remove personal property.

"... We ask that you provide us with a letter by February 19, 1965, releasing to the Bureau your remaining property on Monomoy Island for disposal by burning and/or burying," the latter stated. It gave the camp owners the option of burning their own property before Feb. 15 in the presence of the Refuge Manager.

This newspaper has a fairly consistent record in support of conservation measures and it approves of conservation on Monomoy. It also realizes that the camp owners are squatters

without legal rights and that the Government has the clear power to remove them. But the point, it seems to us, is whether their removal advances in any significant way the purposes of conservation. These people are themselves conservationists by instinct who to our knowledge have treated the other-world beauty of Monomoy with reverence for the many long years they have been there.

The Government officials involved, since they are not on the scene, quite understandably are unaware of the depths of the human side of this issue. We know these people and we know they are being hurt, not hurt in the pocketbook, not hurt economically, but hurt in a spiritual sense. They are being deprived where the soul is. That the officials do not realize this—and should not be expected to—is shown by their offer to let the people burn their own camps. As one of them said to us, "I just couldn't do that. I'd sooner burn myself."

It is still not too late. We humbly urge Fish & Wildlife to relent and allow these people to live out their days before taking over the camps. This would foster another kind of conservation—the conservation of a gentle flame of human spirit.

1102.2

Weather
Clear, colder tonight. Temperatures 10-15, wind 10-20 miles an hour; tomorrow fair and continued cold.

All the Local and State News

Expe Cod Stand - Times

Final Edition

"Forward With Cape Cod"

World Dispatches From Leased Wires

YANNIS, MASSACHUSETTS, WEDNESDAY, FEBRUARY 3, 1965

FIVE CENTS

In combination with The New Bedford Standard Times.

SEVEN CENTS

Monomoy Refuge Area Scheduled for Closing

WASHINGTON, Feb. 3—Interior Department plans to close the Monomoy National Wildlife Refuge at Chatham and make the area available to the National Park Service were announced today and brought an almost immediate protest from Representative Hastings Keith (R.-Mass.).

The Interior Department announcement said the Government plans to close the Monomoy refuge and may decide to add the acreage to the Cape Cod National Seashore as a "wildlife-oriented recreational area." The department, in explaining its plans, said Monomoy no longer has a "highly significant" use as a habitat for migratory water fowl. The refuge was established for this purpose in 1944 when the Fish and Wildlife Service took the 2,686 acres from the town of Chatham.

Would Start July 1

The Bureau of Sports Fisheries and Wildlife said plans call for "phasing out" the Monomoy refuge in the fiscal year starting July 1, with an expected savings of \$13,200 a year. This sum presumably covers the salary of one supervisory official. The Government will probably reduce the water fowl management operation to a "patrol and custodial" status in the near future, it was reported.

Officials said a transfer of the land and facilities to the National Park Service to form an addition to the Cape Cod National Seashore is being considered. The original Cape Cod Seashore bill in Congress provided for such a transfer but the language was deleted from the measure before it became law. Both agencies are under the Interior Department. Although waterfowl no longer use the island in significant numbers, the transfer would not affect the island's status as a national wildlife refuge.



for the purpose of the act. The act provides that the land and Wildlife Service took the 2,696 acres from the town of Chatham.

Would Start July 1

The Bureau of Sports Fisheries and Wildlife said plans call for "phasing out" the Monomoy refuge in the fiscal year starting July 1, with an expected savings of \$13,200 a year. This sum presumably covers the salary of one supervisory official. The Government will probably reduce the or water fowl management operation as to a "patrol and custodial" status in the near future, it was reported.

Officials said a transfer of the land and facilities to the National Park Service to form an addition to the Cape Cod National Seashore is being considered. The original Cape Cod Seashore bill in Congress provided for such a transfer but the language was deleted from the measure before it became law. Both agencies are under the Interior Department.

Although waterfowl no longer use the island in significant numbers other migratory birds come there in heavy concentrations at times, the bureau said.

Congressman Keith protested the decision to close the Monomoy refuge in a letter to Interior Secretary Stewart Udall.

Representative Keith declared that the island serves as a "very important link in the chain of migratory water fowl refuges along the Atlantic Flyway." In addition, at present, Keith said, the Monomoy National Wildlife Refuge provides various forms of recreation for the public "which are consistent with its primary purpose." The Congressman mentioned fishing, hiking, shell collecting, picnicking and photography.

Act Cited

"I feel that I should also point out that your announcement mentions the possibility of turning this island and these facilities over to the National Park Service for inclusion in the Cape Cod National Seashore.

The legislative history of the act establishing the seashore, however certainly and clearly indicates that it was the express intent of Congress to exclude Monomoy Island from the National Seashore.

To now follow the course suggested in your announcement would be contrary to the intent of the act and—in my opinion—would require specific approval of Congress." Keith wrote to Secretary Udall.

Keith noted the estimate of \$13,200 in annual savings. He said that this seemed "almost insignificant" as an economy move and "inconsistent when weighed against the current national effort to acquire new and additional areas for conservation, recreation and preservation of wildlife.

Congressman Keith told Udall he was very surprised by the action and urged a complete re-study of the decision. He said he hopes the secretary will agree that the relatively small dollar savings would not be worth the loss of "this unspoiled sanctuary for wildlife and nature lovers."

...the bureau said.
Congressman Keith protested the decision to close the Monomoy refuge in a letter to Interior Secretary Stewart Udall.

Representative Keith declared that the island serves as a "very important link in the chain of migratory water fowl refuges along the Atlantic Flyway." In addition, at present, Keith said, the Monomoy National Wildlife Refuge provides various forms of recreation for the public "which are consistent with its primary purpose." The Congressman mentioned fishing, hiking, shell collecting, picnicking and photography.

Act Cited

"I feel that I should also point out that your announcement mentions the possibility of turning this land and these facilities over to the National Park Service for inclusion in the Cape Cod National Seashore.

The legislative history of the act establishing the seashore, however certainly and clearly indicates that it was the express intent of Congress to exclude Monomoy Island from the National Seashore.

To now follow the course suggested in your announcement would be contrary to the intent of the act and—in my opinion—would require specific approval of Congress," Keith wrote to Secretary Udall.

Keith noted the estimate of \$13,200 in annual savings. He said that this seemed "almost insignificant" as an economy move and "inconsistent when weighed against the current national effort to acquire new and additional areas for conservation, recreation and preservation of wildlife.

Congressman Keith told Udall he was very surprised by the action and urged a complete re-study of the decision. He said he hopes the secretary will agree that the relatively small dollar savings would not be worth the loss of "this unspoiled sanctuary for wildlife and nature lovers."

Deadline Hit

Finally Keith said it seems "inconsistent and unreasonable" to enforce the Feb. 15 deadline of the Bureau of Sport Fisheries and Wildlife for the evacuation of six se-disputed camp sites on Monomoy. Keith requested that the destruction of these camps, as ordered by the bureau on Jan. 13, be postponed pending reconsideration of the Monomoy decision.

While the Interior Department's announcement may not have come as a complete surprise, Cape officials concerned had little comment.

Thomas C. Horn, manager of the Monomoy Refuge said he had received no official information on the department's plan.

Aud at Eastham, Cape Cod National Seashore officials also reported they had received "no official word on the matter."

Temperatures

8 a.m.	16	11 a.m.	24
9 a.m.	20	Noon	27
10 a.m.	23	1 p.m.	30

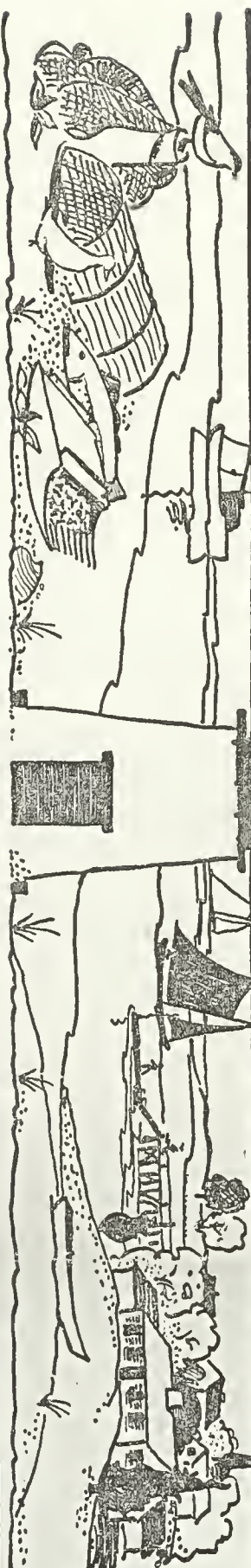
Note editorial on back page also

No 8.3

No 8.3



THE CAPE CODDER



Vol. XIX No. 49

Thursday, February 18, 1965

\$6 a Year: 10¢ a Copy

Udall Gives Final Turndown To Monomoyicks

The death knell for the camps on Monomoy held on lease from the U. S. Fish & Wildlife may have become final last Friday when Secretary of Interior Stewart Udall turned down once again appeals to continue the arrangement. Senators Saltonstall, Kennedy and Rep. Keith all had pleaded hard for further study of the problem, to no avail.

Two of the camps already had fallen to the bulldozer after their owners had given releases.

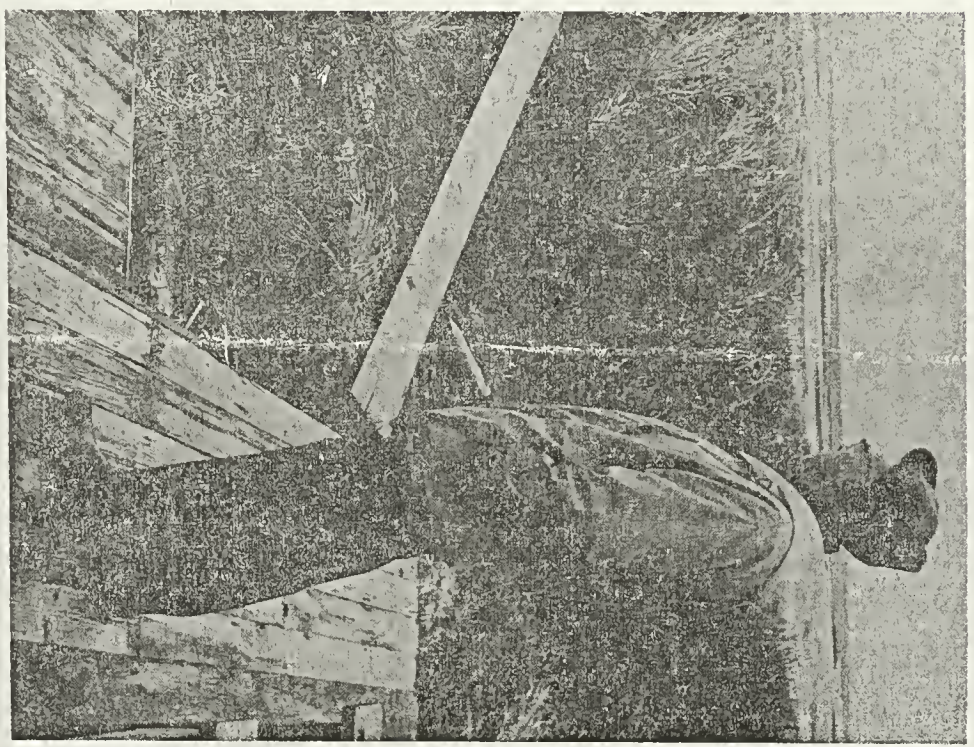
Last Saturday Wilber Eldridge, one of the most stubborn fighters to stay

In a letter to The Cape Coddier last Friday, Secretary Udall gave as succinct an explanation of the U. S. position as has yet been offered.

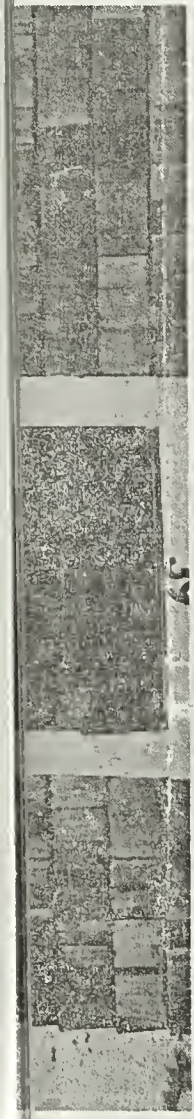
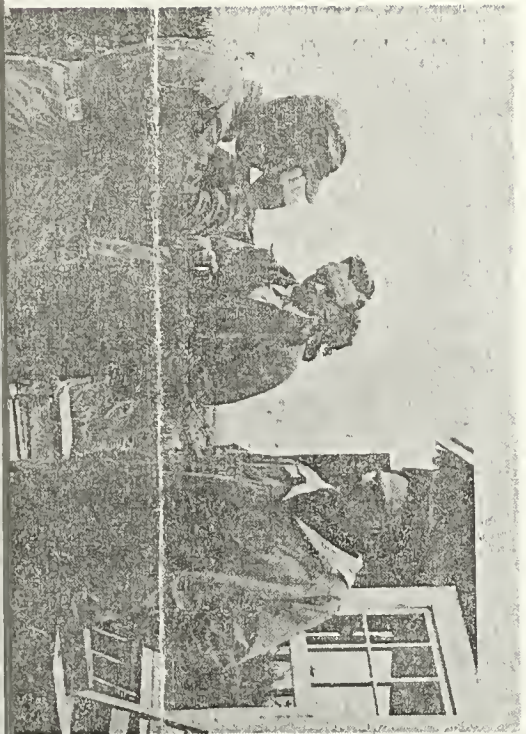
"We have no choice in the matter of lease renewal for the people for whom you express concern," the Secretary wrote. "The Congress, in passing Public Law 87-714, removed any possibility for these people to continue the use of refuge property on the refuge . . . Thus, there is no alternative but to terminate all private privileges on Monomoy, except those granted by court decree.

"We deeply regret the inconvenience and disappointment that this situation has created for these few people."

In a letter to Rep. Keith, the Secretary said "there are no affirmative plans to transfer the refuge area to the Cape Cod National Seashore." He said that Monomoy may be put on a patrol basis only in an economy move, but that the same objectives would apply.



Wilber Eldridge takes a back stoop look over the familiar view of Hospital Pond.



Editorial Page

BROOKS LOOKS

A Sad Ending To The Monomoy Issue

Monomoy is a great place for shore birds. Its lonely and beautiful terrain is used by 20,000 sandpegs, 10,000 semi-palmated sandpipers, 2,000 black-bellied plover, 1,000 ruddy turnstones, 8,000 dowitchers and all the Hudsonian godwits that are left (about 2,000).

It is a closed season on all these birds on Monomoy. They are protected.

But, unfortunately, it is open season on the Wilber Eldridges. The Eldridges are a different type of bird and have been nesting on Monomoy for the past 25 years, coming there for much the same reasons as the plover, and the godwits. They have put up a long fight for survival, for the right to stay in their camps at Inward Point.

It looks as though that fight came to an end last Friday afternoon when Secretary of Interior Stewart Udall turned down all last minute appeals and ruled that no further leases would be offered or extensions granted, meaning that the camps must be abandoned and soon bulldozed or burned. This end came despite the strong intervention of Senator Leverett Saltonstall, Senator Edward M. Kennedy and Congressman Hastings Keith. Obviously, the decision was not lightly taken.

We have been and expect to continue to be strong admirers of Secretary Udall. He has been an articulate battler of the conservation of natural beauty in this country at a time when such a champion is desperately needed. His position has been right in depth. Yet on this relatively small issue, it seems to us that he is wrong. He has all the "right" reasons for reaching a "wrong" conclusion.

One Washington official told us last Friday

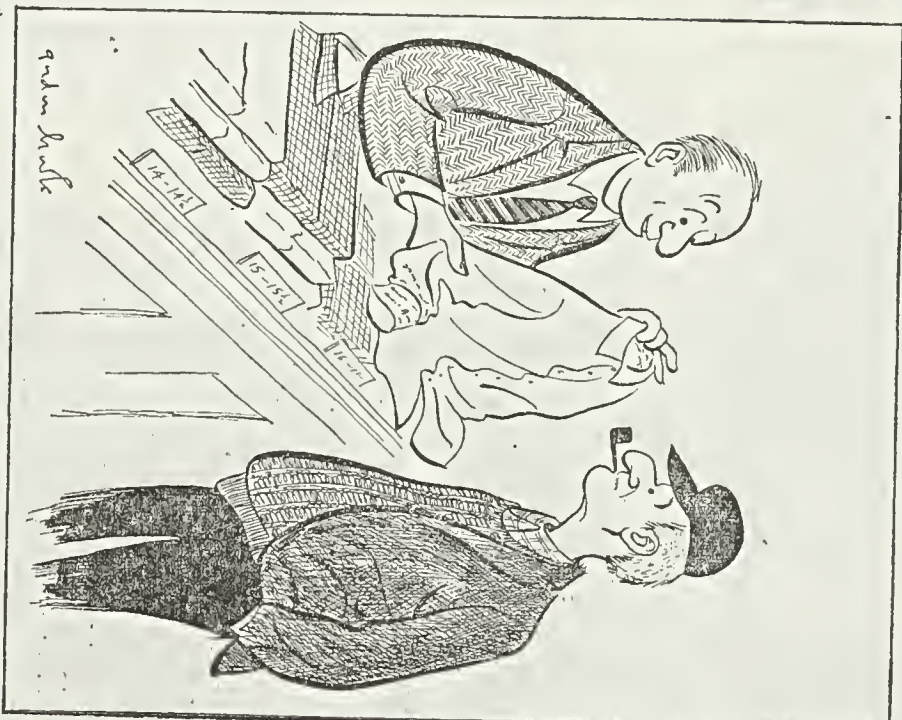
that he honestly thought that more emotional concern had been expressed in some quarters of the government last week over the issue on Monomoy than over the terrible events in Vietnam. If this is so, it seems to us encouraging. At least this microscopic problem was recognized and considered. But how could the decision follow serious consideration?

It is quite true that there is a public law which specifically forbids the government from leasing campsites to individuals in wildlife refuges. And it is a good law. But in the administration of that law surely there is room for tolerance. As a matter of fact, there has been: Leases have been granted for a number of years to the campowners. If such administrative practice is impossible now, it was impossible then. The fact that these leased camps about other camps that are fortunate enough to have lifetime tenancy agreements with the government, indicates that the problem could be solved gently with the solace of time.

So where is the urgency? Why the strong pressure for haste?

Philosophers have observed that, despite popular belief to the contrary, goodness often is as strong or stronger than wickedness. And the seeds of strength and power of good contains the same seeds of violence as the power of evil. This is a pretty good example that they may be right. From the foundation of what is "good" and "right", violence of a sort is being wreaked unnecessarily on the Wilber Eldridges.

This is a very sad thing and we believe it says something in a very small way about the dilemma of our times.



"HOW ABOUT OUR TOWN MEETING STYLE WITH PITHY SAYINGS ON THE CUFF?"

Fred and Esther Rockwell



YOUR CAPE
COD GARDEN

Today — Valentines Day — the cing from a misadventure of some

Cape Cod Standard-Times

HYANNIS, MASS. 02602
Founded 1936

Thursday, February 18, 1965

Second class postage paid at Hyannis, Massachusetts.
Published every day except Sunday at 319 Main Street, Hyannis. Telephone 775-1200.

E. ANTHONY & SONS, INC., Proprietors
JOHN H. ROGERS, Editor and Publisher
WENDELL D. HARBERT, Business Manager

SUBSCRIPTION BY MAIL
(Payable in Advance)

DAILY ONLY	SUNDAY ONLY	DAILY & SUNDAY
1 year \$21.54	1 year \$8.84	1 year \$30.68
6 months \$10.92	6 months \$4.42	6 months \$15.34
3 months \$5.46	3 months \$2.21	3 months \$7.67
4 weeks \$1.68	4 Sundays \$.68	4 weeks \$2.36
Per Issue 7c	Per Issue 17c	

Cape Cod Standard-Times New Bedford Standard-Times
In Combination

DAILY ONLY	SUNDAY ONLY	DAILY & SUNDAY
1 year \$28.08	1 year \$14.04	1 year \$42.12
6 months \$14.04	6 months \$7.02	6 months \$21.06
3 months \$7.02	3 months \$3.51	3 months \$10.53
4 weeks \$2.16	4 Sundays \$1.08	4 weeks \$3.24
Per Issue 9c	Per Issue 27c	

SUBSCRIPTION BY CARRIER (Combination)

DAILY ONLY	SUNDAY ONLY	DAILY & SUNDAY
Per week 42c	25c	Per Week 67c

Member of the United Press International and Audit Bureau of Circulations.

What of Monomoy?

Nature, in the form of wind and sea, has given Monomoy Island at Chatham a stormy existence which seems destined to continue until, as geologists predict, the island's last grain of sand disappears beneath the ocean.

Latest tempest involving Monomoy, however, was spawned in Washington when the Department of the Interior made a surprise announcement of plans to close the wildlife refuge operation on the island and suggested that the area might be turned over to the Cape Cod National Seashore. Then, when this announcement brought an almost immediate protest from Representative Hastings Keith (R.-Mass.), the department agreed to "re-examine" its plans for Monomoy.

Subsequently, the department announced it intends to "maintain the status" of the Monomoy refuge, but carry out the activity with a "protective patrol" which will reduce present management costs.

The original plan to close the refuge apparently was based on the department's belief that Monomoy no longer has a "highly significant" use as a habitat for migratory waterfowl, an opinion frequently expressed in past years by some Cape residents familiar with the area.

In any case, there is a definite air of mystery concerning the department's hasty about-face on Monomoy. Why, if as the department's original announcement said, Monomoy no longer has a "highly significant" use as a habitat for migratory waterfowl, has the department reversed itself and decided to maintain the area as a refuge? Why not turn Monomoy over to the Cape Cod National Seashore as the department earlier suggested?

On this point Representative Keith expressed fears that such a transfer might mean the loss of "this unspoiled sanctuary for wildlife and nature lovers." He also pointed out that legislation establishing the Cape Seashore specifically excluded Monomoy.

Yet, transferring Monomoy to the Seashore would hardly seem to endanger its future as Representative Keith fears, since the Seashore policy has been that conservation and preservation come first and that

ton, of i
du
of
wic
l
ber:
of l
T
Cong
as r
Neh

In
next
politi
venl
of t'
F
Cor
in o
It
with
faile
T
unab
in h
ment
W
ready

v
that
spec
ized
also
T.
S
ti

Nature, in the form of wind and sea, has given Monomoy Island at Chatham a stormy existence which seems destined to continue until, as geologists predict, the island's last grain of sand disappears beneath the ocean.

Latest tempest involving Monomoy, however, was spawned in Washington when the Department of the Interior made a surprise announcement of plans to close the wildlife refuge operation on the island and suggested that the area might be turned over to the Cape Cod National Seashore. Then, when this announcement brought an almost immediate protest from Representative Hastings Keith (R.-Mass.), the department agreed to "re-examine" its plans for Monomoy.

Subsequently, the department announced it intends to "maintain the status" of the Monomoy refuge, but carry out the activity with a "protective patrol" which will reduce present management costs.

The original plan to close the refuge apparently was based on the department's belief that Monomoy no longer has a "highly significant" use as a habitat for migratory waterfowl, an opinion frequently expressed in past years by some Cape residents familiar with the area.

In any case, there is a definite air of mystery concerning the department's hasty about-face on Monomoy. Why, if as the department's original announcement said, Monomoy no longer has a "highly significant" use as a habitat for migratory waterfowl, has the department reversed itself and decided to maintain the area as a refuge? Why not turn Monomoy over to the Cape Cod National Seashore as the department earlier suggested?

On this point Representative Keith expressed fears that such a transfer might mean the loss of "this unspoiled sanctuary for wildlife and nature lovers." He also pointed out that legislation establishing the Cape Seashore specifically excluded Monomoy.

Yet, transferring Monomoy to the Seashore would hardly seem to endanger its future as Representative Keith fears, since the Seashore policy has been that conservation and preservation come first and that public usage is allowed only within compatible limits.

It might be said that there have been some pressures brought to bear on the National Park Service to turn more toward recreation in some areas of its domain.

It might be that Congressman Keith, who, during the Seashore debate on the Cape and in Congress, stressed preservation as a prime objective of the park, foresees a strengthened turn toward recreational emphasis and wants to forestall it.

Nevertheless, no one can deny that demands on our natural resources are mushrooming. This is an era of relative prosperity, exploding populations and more leisure time and it seems imperative that we make the wisest use possible of our diminishing open spaces. If Monomoy is not needed solely as a refuge area, then why not apply the Seashore policy of conservation and compatible public use, providing that policy can be maintained?

Such a course of action would appear more logical than the seemingly contradictory steps taken by the Department of the Interior in the last week or so.

st.
ofl
ton
of
du
of
wic
ber
of t
T
Cong
as r
Nehr
In
next
politi
veml
of t
F
Corr
in o
It
with
faile
T
unab
in h
ment
W
ready

V
that
spec
ized
albu
T.

S
ti

v

a
h
n
h
i

t

Privileges Spark Dispute At Monomoy Status Hearing

By TED VINCENT
Standard-Times Staff Writer

CHATHAM — Special court-granted privileges given when Monomoy Island was acquired by the federal government were a point of contention at a public hearing here on the proposal to establish the island as a wilderness area.

The question in the minds of both proponents and opponents of the proposal to change the status of Monomoy Island from a national wildlife refuge to a national wilderness area was: When is a wilderness a wilderness?

The Wilderness Act, enacted by Congress in 1964, provided for "the establishment of a national wilderness preservation system for the permanent good of the whole people." This provision seems to be a contradiction in the case of Monomoy, because of special concessions—a situation that was the crux of controversy at the hearing.

Meeting Moved

The meeting opened in the Chatham fire station at 9 a.m., but when more than 200 persons crammed the small hearing room, the session was moved next door to the Chatham Community Building.

Three buildings and an abandoned lighthouse stand on a 4-acre, privately owned tract near the south end of the island. The balance of Monomoy is federally owned. Twelve prior property owners maintain and are permitted access to vacation camps under the court-granted privileges. These buildings and wheel tracks in the sand are the only obvious marks of civilization on the island.

Policy of the Wilderness Act is: "to assure that an increasing population does not occupy and modify all areas within the United States, leaving no land designated for preservation and protection in their natural condition."

The act further defines wilderness as: "an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain."

Lack of Conformity Hit

Opponents to the establishment of Monomoy Island as a national wilderness area testified at the hearing that the special concessions granted by the court contradict the federal definition of a wilderness area and fail to conform to "the permanent good of the whole people."

These special privileges, including the controlled use of over-the-sand vehicles, irked representatives of sportsmen's organizations, who argued the

continue to be within the National Wildlife Refuge System.

Director Griffith summarized the objectives of the Wilderness Act and recommended that the island be given national wilderness area status.

Obligations Noted

Griffith cited the legal obligations of the concessions and noted that the 4-acre interior tract, including the old lighthouse and its attached building on two acres owned by the Massachusetts Audubon Society, is maintained as a research station and outpost for wildlife tours that the society conducts.

The other two acres, Mr. Griffith said, contain private camps of two individuals who have given the Audubon Society first option should they choose to sell. Special use permits are granted 12 privately owned summer camps on the island.

The Audubon Society's tours will be continued over designated trails under a cooperative agreement. Limited use of "over-the-sand vehicles" for access to cabins will continue and the Stage Harbor Freezer Co., a fishing enterprise, will continue to receive an annual special use permit for a plot about 150 by 450 feet, the director said.

George W. Davis, representing the Bureau of Outdoor Recreation concurred with Director Griffith and approved of the designation of Monomoy as a wilderness area.

Designation Favored

The Massachusetts Marine Fisheries Advisory Commission favors the "wilderness" designation on the condition all private interests are phased out. Dr. A. Nickerson, chairman of the Advisory Commission of the National Seashore said the commission favors the change in designation, adding, "It is one spot not overrun by automobiles."

Josiah H. Child representing the Provincetown Conservation Commission said he favors the proposal because, "Cape Cod needs one area that would be unsullied by the encroachment of people."

Allen Morgan, executive vice-president of the Massachusetts Audubon Society said that the society endorsed the proposal, but voiced an appeal that the controlled use of over-the-sand vehicles be allowed to continue.

"Massachusetts needs more outdoor recreation areas, not wilderness reservations," James M. Shepard, director of the Massachusetts Division of Fisheries and Game, told the meeting.

Monomoy is one of Massachusetts' most valuable coastal fishing areas, and has great potential for waterfront management and hunting, particularly



PLANS RETIREMENT — Dr. Harry W. Solomon, 76, state Mental Health Department commissioner, has decided to resign, Gov. John A. Volpe announced yesterday. Volpe appointed special committee to advise him on appointing successor. Governor said Dr. Solomon told him he wanted to retire as soon as successor could be found.

Act, public use of the area will be severely curtailed, Shepard noted.

He noted that Monomoy Island was originally acquired by the federal government as a waterfowl refuge, using duck stamp funds, and that this should continue to be its primary purpose.

Shepard recommended that Monomoy remain under the Wildlife Refuge Act, but suggested that if it were removed from that jurisdiction, the division would be interested in acquiring and managing the island as a state wildlife management area.

22
No 8.6

Protecting Monomoy

Adm. Boston

6-22-68 Arnold Incubator

A bill to make Monomoy Island, a tiny spur of sand off the elbow of Cape Cod, part of the National Wilderness System deserves congressional sanction. Nearly all of Monomoy Island is already a national wildlife refuge, but once the Interior Department acquires the few remaining acres the strip of unspoiled land and its wildlife will be forever protected under the federal Wilderness Act.

The nation's wilderness is fast disappearing and in the populous East there are few areas in

their natural state. Monomoy Island is one of them. As Massachusetts Congressman Hastings Keith told the Senate Interior and Insular Affairs committee the other day, inclusion of the island to the National Wilderness System will protect its "wild beauty and grand solitude" and its abundant and various wildlife.

Wilderness was once something to be tamed. Now it is something to be preserved.

Cape Cod Standard Times
Thursday 6-27-68

no 8.7

Wilderness Act Cited

CHATHAM — All present recreational activities permitted on Monomoy Island will continue to be permitted if Congress approves the island for inclusion in the "Wilderness Act."

Robert McNeece, chairman of Chatham selectmen said that contrary to statements that have been circulated, the proposal of the U.S. Fish and Wildlife Bureau, includes the recreational use of the island for fishing from its shores, the landing of boats anywhere on the island, picnicking, shellfish gathering, bird watching, photography and any of the present permissive uses.

Overnight camping and the use of beach buggies is not now permitted and neither will these activities be permitted under the "Wilderness Act", said Mr. McNeece.

He noted the Cape Cod Salties, a saltwater fishing club, has been circulating a letter opposing the establishment of a wilderness area at Monomoy.

25
National Wildlife Federation May 14, 1968

NO 8.8

WILDERNESS AREAS

S.3425--DESIGNATION OF MONOMOY NATIONAL WILDLIFE REFUGE AS WILDERNESS.

Senators Edward W. Brooke (Mass.) and Edward M. Kennedy (Mass.). Designates 2,600 acres in the Monomoy National Wildlife Refuge in Massachusetts as wilderness which would be a part of the National Wilderness Preservation System. Referred 5/2/68 to the Senate Committee on Interior and Insular Affairs.

H.R.16996--DESIGNATION OF MONOMOY NATIONAL WILDLIFE REFUGE AS WILDERNESS.

Messrs. Hastings Keith (Mass.), John W. McCormack (Mass.), Philip J. Philbin (Mass.), Harold D. Donohue (Mass.), William H. Bates (Mass.), Edward P. Boland (Mass.), Thomas P. O'Neill, Jr. (Mass.), Torbert H. Macdonald (Mass.), James A. Burke (Mass.), Silvio O. Conte (Mass.), F. Bradford Morse (Mass.), and Mrs. Margaret M. Heckler (Mass.). Same as S.3425 above. Referred 5/2/68 to the House Committee on Interior and Insular Affairs.

C6)

7-3-64

Chatham News

URGE WIDER USE FOR MONOMOY

(The Cape Cod Salties, well-known sportfishing organization, has issued the following "alert" to its many members.)

Once again, the right to fish Monomoy Island is under fire. The United States Congress has before it a bill which would designate Monomoy Island a Wilderness Area. Under the usual provisions of a Wilderness Area, boats would be prohibited in the area of the island. The management proposal for the area also would prohibit all camping. Your directors feel that the bill and the management proposal, in their present form, are far too restrictive.

Please write or wire your Congressman, your two Senators, (in Massachusetts: Senators Edward Brooke and Edward Kennedy) and also: Senator Warren G. Magnuson, Chairman, Senate Commerce Committee, Senate Office Building, Washington, D.C.

In your letter, please protest the present form of Senate Bill #3425 and suggest that it be amended to permit boats, fishing and camping, within the spirit of the wilderness concept.

FILM RECORD

MO 8.9

6-14-68 *Henry Moore*

Monomy Bill

Clearing Up

By HENRY MOORE

Outdoor Writer

Contrary to a false alarm sounded by several Massachusetts sportsmen's groups, the proposed designation of Cape Cod's Monomoy Island as a Wilderness Area will NOT mean the end of surf fishing on this fabulous 10-mile stretch of beach rated as one of the best on the Atlantic Coast for striped bass and bluefish.

Quite the opposite, Congressional approval of wilderness status for Monomoy under a bill (S-3425) now

ROD AND GUN

undergoing hearings in Washington is the best guarantee sportsmen can get that the fishing and other phases of island sport will be perpetuated.

No such guarantee could be assured under state, municipal or private ownership as sport fishermen have found to their sorrow on other Massachusetts beaches.

The mixup apparently stemmed from failure to read all the fine print in the Wilderness Act and misinterpretation of some of its provisions.

It is true that with certain exceptions the act stipulates there shall be no roads, use of motor vehicles, motorized equipment, motorboats, landing of aircraft, other form of mechanical transport, or structure or installation within any wilderness area.

The key word there, so far as Monomoy is concerned, is "within."

The act also stipulates that wilderness areas shall be administered by federal agencies which have jurisdiction over them for whatever public recreation, scenic, scientific, educational, conservation and historic uses they offer while preserving their wilderness character.

As a roadless island within the national wildlife ref-

uge system administered by the Interior Department's Bureau of Sport Fisheries and Wildlife, Monomoy will continue open to public access for fishing, tramping, nature study, photography, bird watching and other outdoor uses permitted on the refuge system.

Because boats used to reach the island and land on it are not "within" the area, here, in a nutshell is what sportsmen can and can not do in the Monomoy wilderness area, according to Richard E. Griffith, regional director of the Bureau of Sport Fisheries' Wildlife here in Boston.

Fishermen can, and will be encouraged to, come to Monomoy by boat — either power, sail or hand propelled — land anywhere they desire and fish from shore anywhere from the Morris Island cut-through to the Point Rip, or troll or cast from their craft, alongshore.

Camping in the sense of pitching a tent will be taboo and beach buggies must be barred. But fishermen and other recreationists willing to rough it for overnight trips may sleep on their boats or in sleeping bags ashore.

Because boats not beached on the island are not "within" the area, pass shooting on seaducks and other waterfowl from boats at anchor offshore will be permitted during the waterfowl hunting seasons.

Not the worst feature of the setup is the fact this sort of fishing and hunting takes a bit of work to enjoy, that means it won't be crowded. Which is what you're always screaming for, isn't it? Or didn't you really mean it?

MO 8.10

(5)

NO 8 . 11

Cape Acts to Save Monomoy Is.

WASHINGTON — Action to preserve forever "the wild beauty and grand solitude" of Tiny Monomoy island off Cape Cod was supported yesterday by Rep. Hastings Keith, R-West Bridgewater.

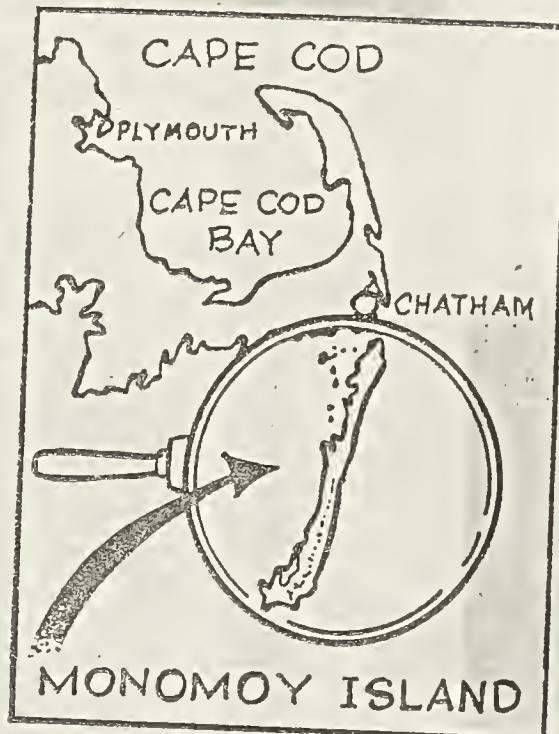
Keith told a Senate Interior and Insular Affairs subcommittee that a pending bill to designate the 2,600-acre island as part of the National Wilderness System "will cost us nothing, yet it will preserve for all of us and for future generations the priceless heritage of wilderness and natural beauty."

The island is a federally owned national wildlife refuge, except for four acres that the Interior Department will eventually acquire, Keith said.

He described Monomoy as a "kind of barrier island protruding south from the elbow of Cape Cod," with an ever-changing shoreline molded by winds and waves, and a plant and animal life that adjusts to these changes.

"To find a vest-pocket wilderness so close to the millions of people who make up the megalopolis of the Eastern seaboard is a stroke of good luck that will give balance to the beaches of our nation's shoreline and will add greatly to the charm of Cape Cod," Keith said.

Those who study Monomoy's shore birds believe it is "unequaled on the



Eastern seaboard," he said, with a great population of black-bellied plovers, sand-erlings and yellowlegs as well as black ducks, Canada geese and other water-fowl sharing the refuge with white-tailed deer, fox and muskrat.

Keith told the committee the bill has broad bipartisan support, being sponsored by Sens. Edward W. Brooke and Edward M. Kennedy, and on the House side by the entire Massachusetts delegation.

(Herald Traveler Washington Bureau)

Boston Herald Traveler 6/1/68

24

NO 8.12

the National Competition. 101.

Keith, Brooke, Kennedy file Monomoy Island bills

CHATHAM-Congressman Hastings Keith introduced a bill that would include Monomoy Island, off Cape Cod, in the National Wilderness System.

Mr. Keith was joined by the entire Massachusetts delegation in the House of Representatives, led by Speaker McCormack, in sponsoring the legislation. Senator Brooke and Kennedy also joined in introducing identical legislation in the Senate.

The bill, which has the strong support of Cape Cod conservation and civic groups, will insure the continued preservation of Monomoy Island in its natural state. Keith noted that 90% of federally owned lands on the Cape are open for recreational and other uses, and, therefore, it is vital that Monomoy Island,

the remaining 10%, be preserved in its natural state.

Keith also pointed out that the bill would not require any additional federal funds and would not interfere with the rights of persons now owning land on Monomoy Island.

Monomoy Island is a 2,600 acre roadless island, extending about 9 miles south from the elbow of Cape Cod, in the town of Chatham, Massachusetts. Currently, the area is under the jurisdiction of the Department of the Interior as a National Wildlife Refuge.

In the Senate, Massachusetts Senator Edward W. Brooke (R) and Edward M. Kennedy (D) today also co-sponsored a bill to designate as wilderness area Monomoy Island.

Ms 9.1

November 12, 1970

John C. Hammond, Chairman
Chatham Conservation Commission
Chatham, Massachusetts

Re: Monomoy Beach Erosion

Dear Mr. Hammond:

Thank you for your letter of concern with regard to the erosion problem at Monomoy Beach.

I would suggest that your commission contact Mr. Larry Malone, Great Meadows National Wildlife Service, Concord, Massachusetts (tel. 369-5518); this agency has the responsibility of general supervision of Monomoy Island for the Park Service. Mr. Malone advised my office this morning that he will assist in any way possible to resolve the immediate situation.

I will be forwarding to you information concerning the availability of federal assistance for erosion correction and prevention.

If I can be of further aid in this matter, please don't hesitate to let me know.

Sincerely,

HASTINGS KEITH
Member of Congress

HK:dp *AW*

January 10, 1900

John G. Bennett, Chairman
United States Commission
Washington, D.C.

Dear Sir:

I have the honor to acknowledge the receipt of your letter of the 7th inst.

and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

I would express my sincere appreciation for the interest and assistance rendered by you and your staff in connection with the various matters which have come under your consideration. I am sure that the prompt and efficient manner in which you have handled these matters will be a great help to the Commission.

I will be forwarding to you the information requested in your letter of the 10th inst. and will also be forwarding to you the report of the Commission on the subject of the proposed amendment to the Constitution.

I am sure that the information and report will be of great value to you and will be most appreciated.

Sincerely,
John G. Bennett

Very truly yours,
John G. Bennett

NO 1.2

GRAY, John M.

MONOMOY ISLAND

243 Post Office Building
New Bedford, Massachusetts
02740

March 17, 1971

Mr. John M. Gray
96 Great Oak Street
East Orleans, Massachusetts, 02643

Dear Mr. Gray:

Thank you for your letter of concern with regard to the use of Monomoy Island.

I enclose the reply of Richard E. Griffith, Regional Director, Department of Interior, Bureau of Sport Fisheries and Wildlife, to my inquiry concerning the information you requested in your correspondence.

I have received assurances from the Department of the Interior that Monomoy Island will be safe for posterity as a wilderness area, and will not fall to the use by beach buggies and camping facilities.

I trust the information enclosed will be of assistance to you in your appreciation of this beautiful wilderness area, and I will look forward to your proposed article on it's status, history and use.

If I can be of further assistance, please feel free to contact me.

Sincerely,

HASTINGS KEITH
Member of Congress

HK:DAW
Enc.

1899

1899, Jan 15
1899, Jan 15

1899, Jan 15
1899, Jan 15

1899, Jan 15

1899, Jan 15
1899, Jan 15
1899, Jan 15

1899, Jan 15

1899, Jan 15
1899, Jan 15

1899, Jan 15
1899, Jan 15
1899, Jan 15

1899, Jan 15
1899, Jan 15
1899, Jan 15

1899, Jan 15
1899, Jan 15
1899, Jan 15

1899, Jan 15
1899, Jan 15

1899, Jan 15

1899, Jan 15
1899, Jan 15

1899, Jan 15



9.3.2

<u>Refuge</u>	<u>State</u>	<u>County</u>
Simeonof	Alaska	Third Judicial Division
Tuxedni	Alaska	Third Judicial Division
Kofa Game Range (parts)	Arizona	Yuma
Havasu Lake (parts)	Arizona & California	Mohave, Yuma (Arizona) & San Bernadino, (California)
Cedar Keys	Florida	Levy
Island Bay	Florida	Charlotte
Key West	Florida	Monroe
Passage Key	Florida	Manatee
Pelican Island	Florida	Indian River
Pinellas	Florida	Pinellas
Moosehorn (two units)	Maine	Washington
Monomoy	Massachusetts	Barnstable
Huron	Michigan	Marquette
Michigan Islands	Michigan	Alpena & Charlevoix
Wichita Mountains (parts)	Oklahoma	Comanche
Oregon Islands	Oregon	Curry
Three Arch Rocks	Oregon	Tillamook
Copalis	Washington	Grays Harbor
Flattery Rocks	Washington	Clallam
Quillayute Needles	Washington	Chllam & Jefferson
Gravel Island	Wisconsin	Door
Green Bay	Wisconsin	Door

(Nathan

Fish & Wildlife - Mass.

(Council of Sp. R. Res. - Henry Dargatzis - Bndge water he is now in - etc)

Persons now are required to have a special permit to enter most of these refuges. These permits may be requested from the Regional Directors of the Bureau of Sport Fisheries and Wildlife at the following addresses: Pacific - Federal Building, 1002 N. E. Holladay Street, Box 3737, Portland, Ore., 97208 (Alaska, California, Oregon, Washington): Southwest - Federal Office Building, 517 Gold, S. W., Box 1306, Albuquerque, 87103 (Arizona, Oklahoma); North-Central - 1006 W. Lake Street, Minneapolis, Minn. 55408 (Michigan, Wisconsin); Southeast - 809 Peachtree-Seventh Building, Atlanta, Ga. 30323 (Florida); Northeast - U. S. Post Office and Courthouse, Boston Mass. 02109 (Maine, Massachusetts).

On February 22, the Department of the Interior announced that Wilderness Act reviews also are under way or proposed in National Park System units in the following States:

Arizona (Chiricahua, Petrified Forest, Saguaro, and Wupatki); California (Kings Canyon, Lassen Volcanic, Lava Beds, Pinnacles, and Sequoia); Florida (Everglades); Idaho (Craters of the Moon); Idaho, Montana and Wyoming (Yellowstone) Kentucky (Mammoth Cave); Kentucky, Tennessee and Virginia (Cumberland Gap); Michigan (Isle Royale); North Carolina and Tennessee (Great Smoky Mountains); North Dakota (Theodore Roosevelt); South Dakota (Badlands); Utah (Arches, Bryce Canyon, Capitol Reef, and Cedar Breaks); and Virginia (Shenandoah).

x x x

ask who we should notify -

tell him ^{who} we have written to

(get 10 copies

County Commiss Barnstable

Selectmen - Chatham

+ Hank Foster

hunting

Commercial activities

interrelationship
with local community

Entrance fees.

public hearing after
recommendation

THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF

THE UNIVERSITY OF OXFORD

IN TWO VOLUMES

LONDON

Printed by J. Streater, at the Sign of the Gun, in St. Dunstons Church-yard, 1679.

THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF

THE UNIVERSITY OF OXFORD

IN TWO VOLUMES

LONDON

Printed by J. Streater, at the Sign of the Gun, in St. Dunstons Church-yard, 1679.

THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF

THE UNIVERSITY OF OXFORD

IN TWO VOLUMES

LONDON

Printed by J. Streater, at the Sign of the Gun, in St. Dunstons Church-yard, 1679.

December 16, 1966 2.5.7

A SPECIAL MEMORANDUM TO NEW ENGLAND MEMBERS AND COOPERATORS

Monomoy National Wildlife Refuge Subject of Wilderness Hearing
9:00 a.m., January 11, 1967, Fire Station Hearing Room, Chatham, Massachusetts

The Wilderness Act of 1964 requires the Bureau of Sport Fisheries and Wildlife of the Department of the Interior to review every roadless area of 5,000 acres or more, and every roadless island, within the National Wildlife Refuge System to determine the suitability of each area as wilderness. These reviews, like the Forest Service's Primitive Area reviews and the National Park Service's National Park and Monument reviews, consist of (1) a field study of the area by Bureau personnel, (2) the drafting of a preliminary wilderness-boundary proposal by the Bureau, (3) the holding of a public hearing on this preliminary proposal, and (4) the forwarding of the Bureau's final proposal, possibly amended in response to citizen recommendations in the hearing record, to the Departmental Secretary for his transmittal to the President, who in turn may consider the proposal in the context of broad public policy and expressed interest, and recommend that legislation be introduced to effect the addition of the area to the National Wilderness Preservation System. Ideally, citizen conservationists should be involved in a cooperative way in steps (1) and (2) and well as step (3), the public hearing and subsequent consideration of proposals by the Departments and the President. Their support will be essential, of course, when the proposals reach Congress.

The first wilderness proposal to be announced by the Bureau of Sport Fisheries and Wildlife under these Wilderness Act procedures relates to Monomoy National Wildlife Refuge, located at the "elbow" of Cape Cod in Massachusetts (see map) and within a day's drive for one-third of the people of the United States.

The Bureau's proposal, which calls for the inclusion in the Wilderness System of all of 2,600-acre Monomoy Island (and excludes only the few acres of the refuge on nearby Morris Island where the refuge headquarters is located), is a good one deserving strong conservationist support. Among key organizations known to view the Bureau's Monomoy proposal favorably are the Massachusetts Audubon Society and the Massachusetts Forest and Park Association. Local members of The Wilderness Society who followed closely the development of the Monomoy wilderness proposal are satisfied that it is an appropriately protective plan.

Possible danger to the wilderness quality of Monomoy Island is seen in pressures for unrestricted public use of beach vehicles (although the island is separated from the mainland now by almost a mile of water) and in proposals for the construction of a yacht harbor of refuge there. The refuge has been a sanctuary since its establishment in 1944, but its inclusion in the Wilderness System would not prohibit the Bureau from opening it to hunting if it so desired. Sentiment has been voiced in Massachusetts for adding Monomoy Island to Cape Cod National Seashore or transferring it to State administration as a state park or a state public hunting and fishing area, steps which logically would lead to the further development--and degradation of the wilderness values--of the island.

Therefore, it is essential that as many wilderness conservationists as possible make plans to

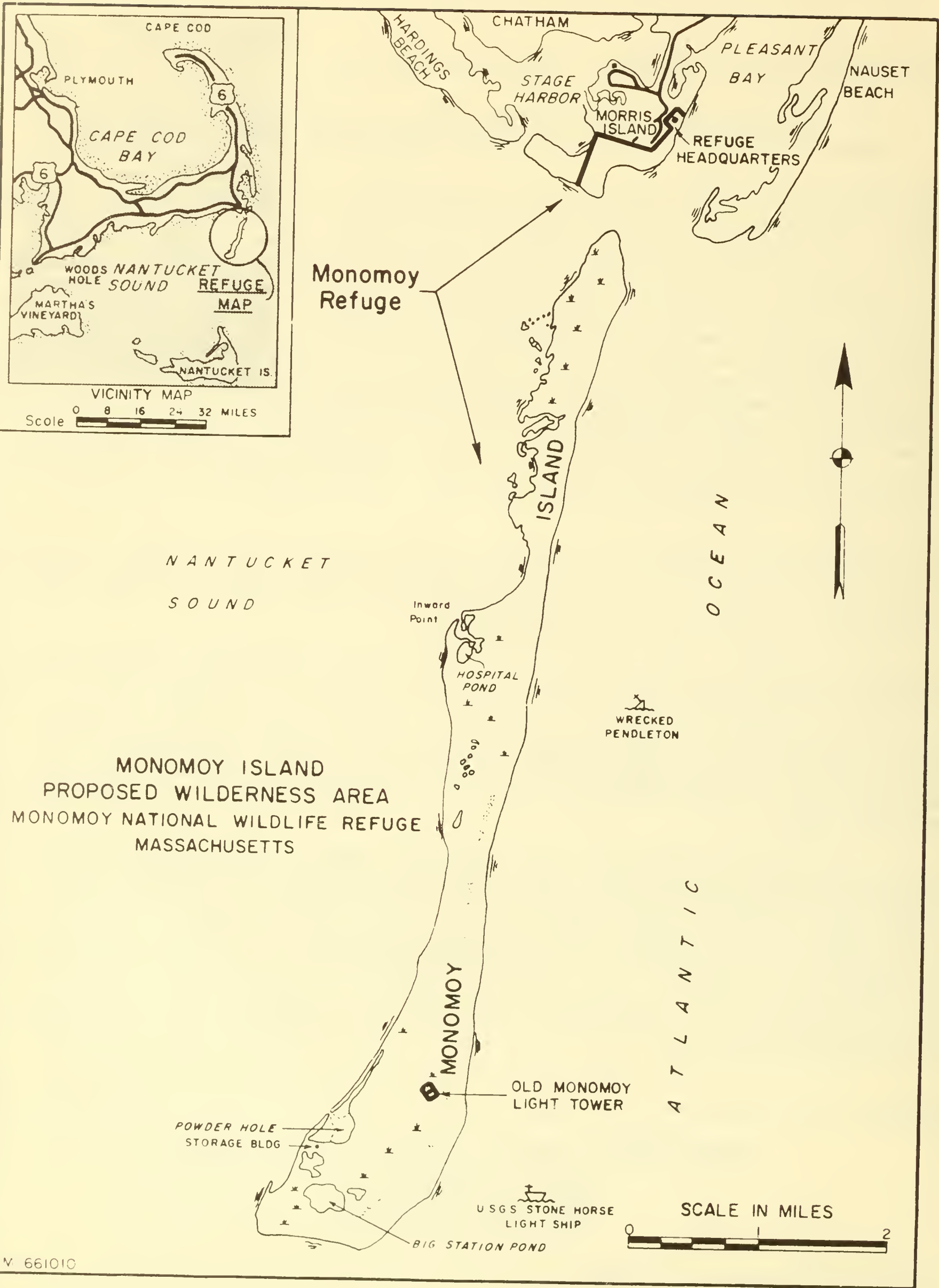
ATTEND MONOMOY ISLAND WILDERNESS AREA PUBLIC HEARING

9:00 A.M. JANUARY 11, 1967

FIRE STATION HEARING ROOM

CHATHAM, MASSACHUSETTS

and speak forthrightly in support of the Bureau of Sport Fisheries and Wildlife proposal.



The hearing officer will be Daniel H. Janzen, retired Director of the Bureau of Sport Fisheries and Wildlife. No advance notice of intent to testify need be given; those who attend the hearing will be asked to sign cards as they enter the hearing room to provide the hearing officer with a list of witnesses. Everyone who attends is urged to testify.

Those who cannot arrange to attend the hearing should let the Bureau know by mail of their support for its Monomoy Island Wilderness Area proposal. The deadline for the submission of written comments, which are to be sent to the Regional Director, Bureau of Sport Fisheries and Wildlife, U. S. Post Office and Courthouse, Boston, Mass. 02109, is February 11, 1967.

Description of the Area

Monomoy Island is an unstable coastal barrier beach extending about nine miles south from Cape Cod in the Town of Chatham, Barnstable County, Massachusetts. Bounded on the west by Nantucket Sound and on the east by the Atlantic Ocean, the island varies from 1/4-mile to one mile wide and is separated from the mainland by a shallow waterway less than a mile wide. The metropolitan centers of Boston, Massachusetts, and Providence, Rhode Island, are approximately 100 miles away.

A 2,600-acre roadless island pounded by the Atlantic, scoured by tidal currents, and lashed by the wind, this ever-changing sand strip shows little of man's use during the past 200 years. Today it is a wild area of barren or sparsely vegetated dunes and sand flats, numerous fresh water ponds, marshes and meadows, brushy hollows, and extensive salt marshes. Its highest point is only 30 feet above sea level. During major storms drastic changes have taken place in its size and shape, particularly at the north end where alternately in the past the island has been connected with Morris Island or Nauset Beach. (Citizen conservationists are concerned about a Corps of Engineers proposal to re-connect Monomoy and Morris Islands with a new causeway.)

No physical development has been carried on at Monomoy in recent years. Little that was done modified the environment permanently. Plantings of native vegetation in the past to control erosion and provide food for wildlife have merged into the local floristic pattern. The potholes and low dikes constructed appear quite natural today. The foredunes are mostly devoid of vegetation. Many interior dunes are covered with American beachgrass and false heather. In the hollows and depressions are bayberry, beach plum, poison ivy, and patches of pitch pine. On the Sound are low, sweeping cordgrass marshes blending into extensive salt marsh flats. There are numerous small potholes and natural fresh water ponds.

Wildlife Value

Monomoy Island is claimed by many prominent ornithologists to have no equal as a shorebird area. Shorebirds numbering in the thousands occur in season, including yellowlegs, black-bellied plovers, sanderlings, and even Hudsonian godwits and golden plovers. It is also justly famous as a concentration point for many other species of birds. Over 300 species of waterfowl, shorebirds, land and oceanic birds have been recorded there. Canada geese have reached peaks of 2,200 in recent years, black ducks 3,000, with lesser numbers of other ducks. Extensive mussel beds off the ocean side of Monomoy have attracted hundreds of thousands of eiders and scoters during the winter. Flights of warblers and other songbirds sometimes fill the low thickets of the island in a spectacular manner during migration. A large colony of terns, including common, roseate, and least, nest at points along the outer beach.

A small herd of from 25 to 30 white-tailed deer ranges over the island. There are a few red foxes. Muskrats inhabit the fresh water ponds and marshes. Occasionally, an otter or mink is seen. Small mammals present include mice, shrews, and moles.

Historical Notes

More than 1,500 ships have been wrecked on the treacherous shoals off Monomoy Island. Since 1872, there have been as many as four manned life-saving stations at one time between the Chatham light and the southern tip of Monomoy, and as many as four light-ships have warned seafarers of shoals near Monomoy. The Monomoy lighthouse, situated at the south end of the island, guided mariners from 1824 to 1923 when it was abandoned because of the range of the modern Chatham light.

Commercial and sport fishing, shellfishing, and hunting always have been significant factors in the economy and life of the local people. In the late 1800's a small fishing village existed on Monomoy Island at the "Powder Hole." Over the years Monomoy was abandoned by year-round residents, and by 1944, when the Federal Government acquired the island as a National Wildlife Refuge, only summer camps were left. Fishing, clamming, and scalloping continue to provide a livelihood for mainland residents, and salt water sport fishing is also an important economic factor. Fish taken in season, in the island's surf as well as from boats offshore, include striped bass, bluefish, bonita, mackerel, haddock, flounder, and cod.

Except for three buildings and an abandoned lighthouse on a four-acre, privately-owned tract near the south end of the island, Monomoy Island is Federally owned. Twelve prior property owners maintain, and are permitted access to, vacation camps under court-granted life estate privileges. These few buildings and rutted wheel tracks in the sand are the only obvious marks of civilization on the island.

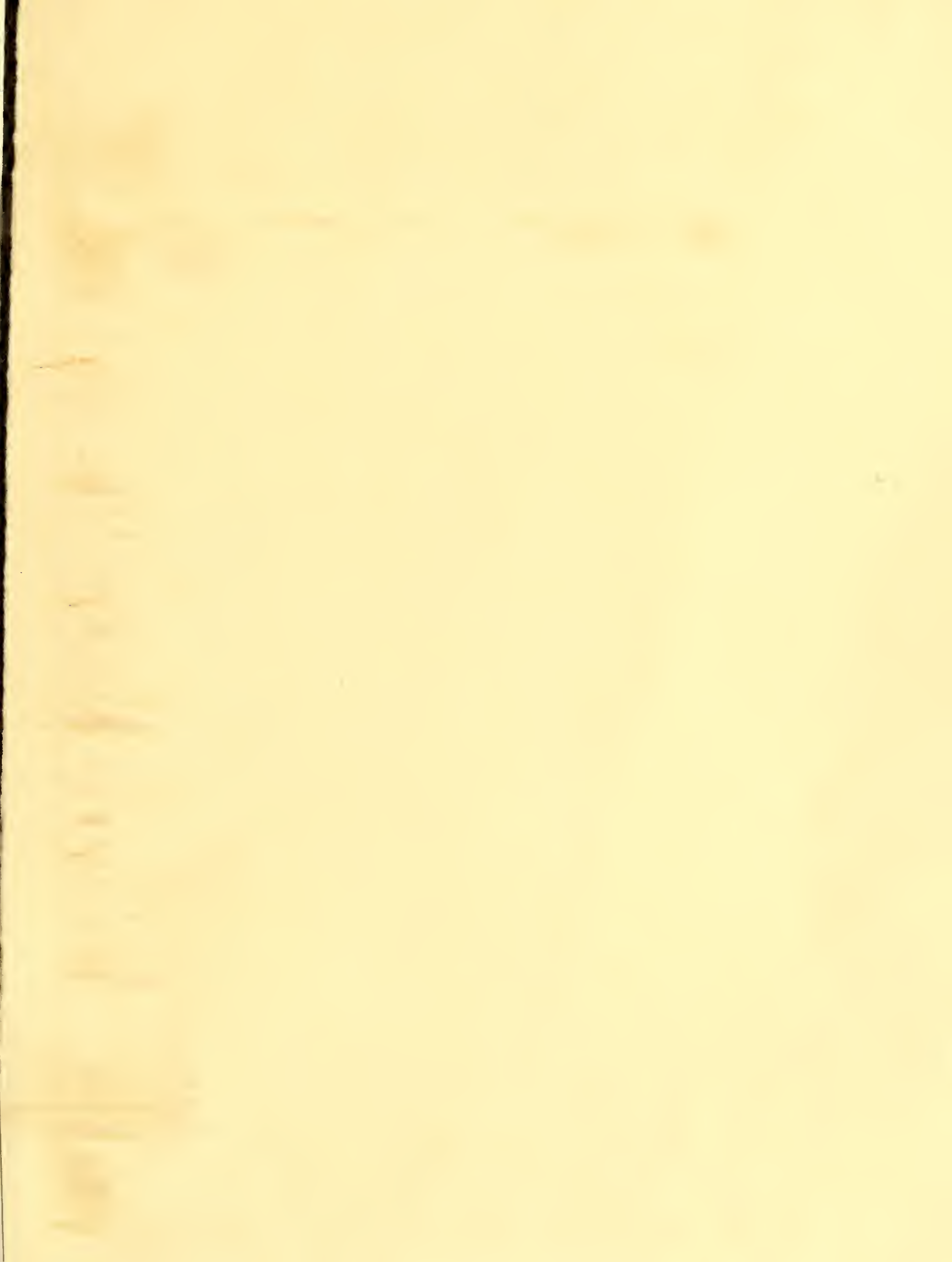
Details of the Bureau's Wilderness Proposal

The following statements describing how Monomoy Island would be managed as a unit of the National Wilderness Preservation System by the Bureau of Sport Fisheries and Wildlife are quoted from the Bureau's own hearing announcement:

Monomoy Island will continue to be managed as a wild area. Existing camps will be disposed of when tenancy agreements expire. A government storage building will be removed. No other government-owned physical features exist.

Recreational use of the island will continue as in the past. Visitors may land their boats any place on the island. Fishing, hiking, birdwatching, nature study, shell collecting, picnicking, and photography during daylight hours are permitted. Persons licensed by the Town of Chatham are permitted to shellfish. Hunting, camping, and fires are not permitted.

The Federal Government owns the island to mean low tide, except for a four-acre interior tract. Two of these acres, including the old lighthouse, are owned by the Massachusetts Audubon Society. This historic cast-iron lighthouse is one of the oldest on the East Coast. The Audubon Society will be authorized to maintain the lighthouse as a base for their educational and research programs. The other two acres contain two privately-owned summer camps.



The 12 privately-owned summer camps on government land are maintained under special use permits in conformance with privileges granted by the court when the property was acquired. These camp owners have life tenure.

There are no improved roads on the island. As in the past, no unauthorized motor vehicles will be permitted. Restrictive permits will allow the use of over-the-sand vehicles for direct travel to private camps, and to the Stage Harbor Freezer Company pole storage lot. The Massachusetts Audubon Society's program aids people to enjoy the wilderness qualities of the land, and their conducted tours will be continued over designated trails.

Comment on Non-Conforming Uses

The Massachusetts Audubon Society, at the request of the Bureau, recently invested over \$20,000 in the acquisition and restoration of the historic Monomoy lighthouse, which serves as an emergency shelter and as headquarters for the Audubon group's Monomoy-based bird migration and other research projects which are carried out in cooperation with the Bureau. The Audubon Society's tours of Monomoy Island, using over-the-sand vehicles, serve an administrative patrol function as well as an educational function.

The Wilderness Society, recognizing the wilderness-protective and educational purposes of the Massachusetts Audubon Society programs, will urge phasing out of the present restricted use of over-the-sand vehicles along routes that are now set and controlled under Bureau regulations. The Society will urge the use of boats and shore access in the place of present limited use of land conveyances.

Similarly, the continued restriction of beach vehicle use by private camp owners will be urged and their elimination encouraged at the earliest possible time.

The Wilderness Society also will propose that the Bureau of Sport Fisheries and Wildlife station a full-time employee at this refuge for refuge patrol duty. No Bureau refuge division employee presently is stationed within 100 miles of Monomoy Island.

In Summary

Monomoy Island lies in the heart of one of the most popular vacation spots in the entire Northeast. Salt water beaches are the primary attraction, enhanced by a combination of rolling sand dunes, brushy knolls, and extensive views of the coast and sea beyond. Wilderness Area status for Monomoy Island will aid in preserving forever by Act of Congress its relatively unspoiled character. Monomoy will continue to attract nature enthusiasts seeking a quality wilderness experience.

This type of use is nonconsumptive and will bring added popularity and revenue to the surrounding community. No commercially useful minerals are on the island, which is composed primarily of medium to coarse beach sand. The position of the island precludes any future anticipated need for highway or other development. The Massachusetts State Plan for Outdoor Recreation, still in preparation, contains no proposed development that would be affected by wilderness status for Monomoy Island.

In a region where the human population is great and wilderness recreation opportunities are limited, the Monomoy Island Wilderness Area will be of inestimable value in the future. But conservationists must make a strong stand for its inclusion in the Wilderness System now, if it is to be saved.

Please attend the Chatham hearing on Wednesday, January 11, or submit a supporting statement for the hearing record. Wilderness Society hearing coordinator Roger Marshall, of 33 Linnaean Street, Cambridge, Mass. (864-5003), would appreciate it if you would let him know that you plan to attend the hearing, and would like to receive a copy of your letter or statement, if convenient.

Sincerely,



M. Rupert Cutler
Assistant Executive Director

P.S. Great Swamp National Wildlife Refuge near Morristown, New Jersey, will be the subject of a Bureau of Sport Fisheries and Wildlife wilderness hearing at 9:00 a.m., Friday February 17, 1967 in the lecture hall of the Morris County Nature Center, end of Jay Road, Chatham Township, Morris County, New Jersey. The Bureau's proposal booklet can be obtained from the Regional Director, Bureau of Sport Fisheries and Wildlife, U. S. Post Office and Courthouse, Boston, Mass. 02109. A Wilderness Society memorandum on this specific proposal is in preparation. Please circle this date on your calender.



